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PART-IIA

GOVERNMENT OF MEGHALAYA
EXCISE, REGISTRATION, TAXATION & STAMPS DEPARTMENT

NOTIFICATION

The 21st December, 2021.

No.ERTS (T) 61/2020-A/175. - In exercise of the powers conferred by Section 29 of the Meghalaya Regulation of Gaming Act, 2021, the State Government hereby makes the following Rules, namely:-

Section 1

General Provisions

Short Title and commencement

1. (a) These Rules shall be called the Meghalaya Regulation of Gaming Rules, 2021.
(b) They shall come into force on the date of their publication in the Official Gazette

Definitions

2. In these rules, unless the context otherwise requires:-
 - (a) “Act” means the Meghalaya Regulation of Gaming Act, 2021.
 - (b) “Advertisement” includes every form of advertising or promotion, whether by means of the state-wide intranet, in a radio or television program or message (whether broadcast or not), in a written or printed publication, by the display of notices, signs, labels or show cards, by means of circulars or other documents or through any other medium;
 - (c) “Application fee” shall mean the fee required to be paid along with the application for issuance of a license under the Act;
 - (d) “Form” means a form appended to these rules;
 - (e) “Fundraising event” means the conduct of Games of Chance or Games of Skill by a Local Organisation with the explicit charitable purpose for furtherance of its aims and objectives for social activities.

- (f) “Hyperlink” includes an active icon;
- (g) “Local Organization” means a sports club, church body, village body, school body, or charitable institution or Association of Persons having principal address in the state of Meghalaya.
- (h) “Operator” in relation to any Games, means the person by whom it is conducted;
- (i) “Physical Premises” means any premises where the Licensee is conducting gaming for public;
- (j) “Person” includes **an individual, an Association of Persons, a Partnership Firm or Company** registered in accordance with the provisions of the law relating to the registration of such Partnership Firm or Company as the case may be, for the time being in force in the State;
- (k) “Player” means a person participating in Games of Skill or Games of Chance being conducted by a licensee either through website or through physical premises;
- (l) “Registered Qualified Persons (RQPs)” shall mean Lawyers/Firms, Chartered Accountants/Firms/Finance Experts, and IT Companies/Firms of repute to assist the Commissioner of Taxes in scrutinizing all applications for license under the Act and these Rules. Such firms shall require to possess a minimum experience of five years in their respective fields of work;
- (m) “Schedule” means the Schedule appended to the Act and the Rules;
- (n) “Temporary License” means a license issued to a local organization with a validity not exceeding two days and valid for only the physical premises indicated in the license.
- (o) “Website” means a group of World Wide Web pages usually containing hyperlinks to each other and made available online by an individual, company, educational institution, government, or organization;

Words and expressions used but not defined herein but defined in the Act shall have the meanings respectively assigned to them in the Act;

Interpretation

3. If any question arises as to the interpretation of any of these Rules, the matter shall be referred to the Government and the decision of the Government thereon shall be final.

**Eligibility for
Applying for grant
of license**

4.

Section 2**Rules for conduct of games of Chance and Games of Skill by
Operator other than Local Organization**

The Applicant shall have to fulfill the following conditions in order to be eligible to apply for grant of License under the Act:-

- (a) The Applicant must have minimum 5 (Five) years of continuous experience of conducting games of skill and games of chance.
- (b) The Applicant should not have been blacklisted in any part of India for conducting games of skill and/or games of chance.
- (c) The applicant should not have been charge sheeted or convicted of any offence under Foreign Exchange Management Act 1999 or money laundering in India.
- (d) In case the Applicant is a firm/company, it shall be ensured that the controlling stake remains in India, and that all executive decisions are taken in India.

**Form and Manner
of Application for
grant of license**

5. (a) Any eligible person, firm or entity interested to operate Games of Skills and Games of Chance as specified in Schedule A and B of the Act respectively, shall submit an application in '**Form 1**' to the Commissioner of Taxes, specifying the game or games for which the license is being sought.
- (b) The Application shall be accompanied with a non-refundable application fee of Rs. 1,00,000/- (Rupees one Lakh) only in form of a demand draft drawn in favor of the 'Commissioner of Taxes, Government of Meghalaya' payable at Shillong, Meghalaya.
- (c) Such an application shall be accompanied by documents prescribed as under:
- (i). If the Applicant is an individual person then his identity proof in form of Election Photo Identification Card (EPIC) or Aadhar Card; Income tax returns filed in accordance with law for immediately preceding three years along with certificate of a qualified and registered chartered accountant certifying present financial status and specifying existing liabilities; a note on the software technology platform, a proposed business plan and financial projections.
- Provided, where the individual belongs to a notified Scheduled Tribe of the State of Meghalaya, instead of Income Tax Returns, a certificate of a qualified and registered Chartered Accountant as to income and expenditure and existing financial status and liabilities for the immediately preceding three years shall be submitted by such person.
- (ii) If the Applicant is a Firm, the Certificate of Registration, Identity proof of all the partners of the firm as above, along with Income Tax returns filed by the Firm, in accordance with law, for immediately preceding three years along with certificate of a qualified and registered chartered accountant certifying present financial status of the firm and specifying existing liabilities; a note on the software technology platform, a proposed business plan and financial projections.
- (iii) If the Applicant is a company or any other entity, certificate of incorporation/registration along with identity proof as above of its Authorized representative, audit returns for immediately preceding three years and a certificate of a qualified and

registered chartered accountant certifying present financial status of the company/entity and specifying existing liabilities, a note on the software technology platform, a proposed business plan and financial projections.

- (d) Every application referred to above shall be submitted in both hard and soft copy. The soft copy of the application shall be in PDF format and be sent to comtax-meg@gov.in. The Hard Copy has to be submitted to the office of Commissioner of Taxes, Shillong, Meghalaya either physically or through registered post.
- (e) Any Application submitted without the application fee shall not be entertained and no intimation in this regard shall be sent to the applicant.
- (f) Any Application, submitted without any of the required documents prescribed above shall be rejected after granting an opportunity of 30 (thirty) days to the applicant to furnish the document along with reason for not submitting the same with the Application.
- (g) The Commissioner of Taxes shall have the discretion to seek any other or further information and/or document from the applicant to satisfy himself of the background, bona-fide and financial status of the Applicant and to ensure compliance with the provisions of the Act and the Rules and may reject the application summarily for not providing such information and/or document without justifiable cause to his satisfaction.

**Procedure for
consideration of
application for
grant of License**

- 6. A license under this Act shall be issued in the following manner:-
 - (a) The Commissioner of Taxes shall, upon receipt of an application along with the requisite fee and documents, forward the details of the application and information to the 'Registered Qualified Persons (RQPs)' for examination of its legal, financial, technical and other aspects.
 - (b) The RQP shall, within a period not exceeding 30 (thirty) days, issue or decline to issue the prescribed certifications, and they shall return the application form along with their certification or

decision to refuse the certification to the Commissioner of Taxes. The RQP may also make recommendations to the Applicant in case they are of the opinion that with adoption of the said recommendations, the Applicant would become eligible for the certification and thus the license. The said recommendations shall also be forwarded to the Commissioner of Taxes along with the copy of the application. The Commissioner of Taxes shall have the right to determine whether any of the recommendations made by the RQP are required to be adopted by the Applicant.

- (c) In case RQP refused to issue certification, reasons for such refusal must be recorded in writing.
- (d) The Commissioner of Taxes shall, within 14 days of receipt of the certification from the RQP forward the application and supporting documents along with his recommendation to the Licensing Authority, which in turn shall, issue a License to the Applicant or reject the application, as the case may be.

Provided, in case of rejection of the Application for grant of license, the applicant shall be afforded an opportunity of hearing by the Licensing Authority.

**Issue of license for
Games of Skill and
Games of Chance**

- 7. (a) On receipt of an application under Rule 6(d), the Licensing Authority shall examine the application and after making such inquiry as it considers necessary, may grant a provisional license in **Form-2** on payment of a fee of 1 (one) lakh rupees to enable the licensee to set up the necessary physical infrastructure and other requirements so as to be in a position to commence operation of Games of Skill and Games of Chance as per the License. The provisional license shall be valid for a maximum period of 6 (six) months.
- (b) Upon the satisfaction of the Licensing Authority that the applicant is fully ready to commence operations of Games of Skill and/or Games of Chance and has complied with the stipulations prescribed in the provisional license and such other terms and conditions prescribed in the Act and Rules, the Licensing Authority may grant a license for operation of Games of Skill and/or Games of Chance in **Form-3** on payment of annual License fee of 2 (two) crore rupees or such sum as may be prescribed by the Licensing Authority from time to time. Such license shall be valid initially for 1 (one) year at a time and shall

be renewed yearly, subject to compliance of requirements of the Act and the Rules and conditions prescribed in the License, up to a maximum period of 5 (five) years unless revoked, cancelled, suspended or surrendered.

- (c) The Licensing Authority reserves the right to alter the conditions of license or alter the license fee and Royalty any time it may deem fit. However, no changes in conditions of the license shall be made which are disadvantageous to the licensee without giving him an opportunity of being heard.
- (d) A license issued under this Act shall be valid for a period of 5 (five) years subject to compliance of prescribed conditions and payment of annual License fee within one month of commencement of each financial year if the license has otherwise not been cancelled or suspended or revoked or surrendered during its currency.

Incidence of License

- 8. Upon grant of license, the Licensee shall be permitted to conduct the following:
 - (a) To advertise on online and offline media and may display the fact that it has a license from the Government of Meghalaya for conducting Games of Skill and Games of Chance.
 - (b) The Licensee shall be permitted to offer the games for stake and earn a profit from the rake generated and from advertising and downloading.
 - (c) The Licensee shall be permitted to offer its games for stake and profit on the state-wide intranet through the mediums of computer or mobile phones or television or radio etc.
 - (d) Only those entities who have obtained license from the Government shall be allowed to advertise and conduct Games of Skill and Games of Chance within the territory of Meghalaya.

Procedure for transfer of license

- 9. The transfer of license to another person shall be granted subject to the following:-
 - (a) On account of death of the individual licensee; or
 - (b) On account of permanent disability of the individual licensee certified by the State Medical Board, to render the licensee incapable of discharging the obligations imposed under the Act and these Rules;
 - (c) On account of dissolution of the firm or emergence of a new entity due to acquisition or merger of the licensee company; Provided that the transferee complied with the other requirements under the Act, these Rules and other relevant Acts in force in the country.

Restrictions on providing game of skills and game of chance, licensed under the Act, to persons other than licensee

10. (a) The licensee shall not, without the prior written consent of the Licensing authority as per Section 10(4) of the Act, either directly or indirectly, provide Games of Skills and Games of Chance licensed under this Act, to any person or enter into any agreement for providing any of the games under the License to any third party;
- (b) The Licensee may be permitted in writing by the licensing authority, to provide Games of Skills and Games of Chance licensed under this Act, to any person, with prior written approval of the Licensor if the following conditions are being fulfilled, and not otherwise:
- (i) The permission shall be for a specified period only;
 - (ii) The permission shall be for a specific purpose only;
 - (iii) The permission shall not be granted to licensees where all the past dues till the date of transfer are not fully paid;
 - (iv) The permission shall be granted only to persons and in cases where the licensee undertakes to ensure strict compliance of all terms and conditions of its license;
 - (v) Any other condition as may be considered necessary by the licensing authority;
- (c) The Licensing Authority shall have the right to rescind the permission of the licensee, after considering any report of conduct or antecedents which is in contravention of the license conditions. The decision of the Licensing Authority in this regard shall be final and binding and in any case, the Licensee shall bear all liabilities in the matter and keep the Licensing Authority indemnified for all claims, cost, charges or damages in this respect.
- (d) The Licensee shall have no right or claim for grant of permission to enable it to provide Games of Skills and Games of Chance to any other person and the decision of the Licensing Authority shall be final and binding.

Procedure for suspension or cancellation of license

11. (a) A license is liable to be cancelled under Section 13 of the Act on the following grounds:-
- (i) For violation of the provisions of the Act, Rules or Instructions issued by the Licensing Authority; or
 - (ii) For violation of the terms and conditions of the license; or
 - (iii) If the license was found to have been obtained by furnishing incorrect information which the Licensee knows or believes to be false or does not believe to be true.
- (b) Before considering the cancellation of license, the Commissioner of Taxes shall issue a notice to show cause to the Licensee as to

why the license should not be cancelled for the violation in question, and shall grant 30 (thirty) days' time to the licensee to make a written as well as oral representation. In case of violation of terms of the License, 30 (thirty) days' time shall be allowed to remedy the breach.

- (c) During the pendency of enquiry for assessing the breach till a decision for cancellation of license is reached, the Licensing Authority, on the recommendation of the Commissioner of Taxes, may suspend the License, by way of a written order to that effect, if it may deem fit. In absence of any such written order of suspension of license, the license shall be deemed to be in existence and valid till it is cancelled.
- (i) While passing an order of suspension of license pending enquiry under this Rule, there shall not be any requirement of providing any hearing to the Licensee.
- (d) The Commissioner of Taxes shall forward the case for cancellation of license along with his recommendations to the Licensing Authority for decision.

Responsibilities of a licensee

- 12. It shall be the responsibility of all Licensees under this Act to ensure the following: -
 - (a) That only players above the age of 18 are permitted to play games for stake either through the website/mobile app or at the physical premises.
 - (b) That all payments on the site are made through registered and recognized payment modes including credit/debit cards, net banking, use of e-wallets etc., that comply with RBI rules and regulations. Payment in cash, if any, shall be permissible only subject to compliance with KYC norms and full disclosure only at the physical premises which shall be recorded in a 'register' kept at the premises for that purpose;

Provided that any payment of more than **Rs. 25,000/-** (Rupees **Twenty five** Thousand) shall not be accepted in cash.

- (c) It shall be ensured that there is no violation of foreign exchange laws of India.

- (d) The licensee shall provide a dashboard with a user name and password to the Licensing Authority and Commissioner of Taxes to facilitate supervision of activities of the licensee.
- (e) The licensee is required to set up an office in Meghalaya within 30 (thirty) days from the date of issue of license.
- (f) The licensee must have in place a foolproof fraud prevention control mechanism and effective safeguard to prevent players from suffering financial injury.
- (g) The Licensee is required to prominently display a charter for responsible gaming on its website and mobile app and physical premises where gaming is being conducted.

Maintenance of designated bank account and statements

- 13. (a) The Licensee shall maintain a designated bank account known to the Commissioner of Taxes for conduct of all financial transactions in connection with the conduct of Games of Skill and Games of Chance under the license issued under the Act. The gross revenues earned by the Licensee shall be deposited only into the designated account to ensure transparency and supervision.
- (b) The Licensee shall be responsible for ensuring that the amounts due and payable to the Licensing Authority are regularly made via treasury challan or any other mode of payment authorized by the Government.
- (c) The Licensee shall furnish necessary authorizations to the bank holding the designated and disclosed accounts to furnish print-outs, statements or reports of the transactions of the accounts as and when required by the Commissioner of Taxes or the Licensing Authority.

Fee and royalty

- 14. (a) Every Licensee shall pay to the Licensing Authority the following fees and royalties as mentioned below:-
 - (i) The 'Annual License Fee' of 2 (two) crore rupees.
 - (ii) In addition, the licensee shall further be required to pay an amount of 2% of the Gross Gaming Revenue (GGR) generated as royalty to the Licensing Authority quarterly.
- (b) The royalty for the preceding quarter shall be paid by the licensee by the fifteenth day of following quarter duly filling the details in the statement in **Form-4** failing which interest @ two percent per month on the late payment of royalty will be levied, on the condition that the royalty is paid within a month of following quarter and a penalty equivalent to one-fifth of the royalty shall be charged on the licensee, in the event of failure to make payment

**Salaries,
Allowances, terms
and conditions of
service of the
members and
officials of the
Meghalaya
Gaming
Commission**

within a month of following quarter.

(c) All payments to the Licensing Authority shall be deposited into the Consolidated Fund of the State in the manner prescribed by the Licensing Authority.

(d) A licensee shall be required to execute a Bank Guarantee of **2 (two) crore rupees** in favor of the Government as security deposit every year at the time of the issue and renewal of the license. On the expiry of the period of one year, the licensee shall either renew or give a fresh Bank Guarantee of an equal amount to the Government.

15. (1) (a) There shall be paid to the Chairperson a salary which is equivalent to the salary of a Judge of a High Court;

Provided that where the Chairperson is a person who has been a Chief Justice of a High Court, his salary and allowances shall be equivalent to the salary and allowances last drawn by him as Chief Justice of a High Court:

Provided that if the Chairperson at the time of his appointment, was in receipt of, or being eligible so to do, had elected to draw, a pension (other than disability pension) in respect of any previous service under the Central Government or the Government of a State, his salary in respect of the service as a Chairperson shall be reduced-

(i) by the amount of such pension;

(ii) if he had, before assuming office, received, in lieu of a portion of the pension due to him in respect of such previous service, the commuted value thereof, by the amount of such portion of the pension.

(b) Every other member shall receive a fixed salary of 60,000/- (Rupees sixty thousand only) per month plus dearness allowance and other allowances, if any, as applicable to an officer of the All India Service serving in the State.

(c) The terms and conditions of service of the members of the Commission shall be the same as applicable to members of other permanent Commissions in the State of Meghalaya.

(2). The salary, terms and conditions of service of the officials of the Commission shall be the same as applicable to employees of the Government of Meghalaya holding analogous post.

**Resignation,
removal and
suspension of
Chairperson and
other members of
the Meghalaya
Gaming
Commission**

16. (1) The Chairperson or any other member may, by notice in writing under his hand addressed to the State Government, resign his office:

Provided that the chairperson or a member shall, unless he is permitted by the State Government to relinquish his office sooner, continue to hold office until the expiry of three months from the date of receipt of such notice or until a person duly appointed as his successor enters upon his office or until the expiry of his term of office, whichever is the earliest.

- (2) Notwithstanding anything contained in sub-rule (1), the State Government may, by order in writing, remove the Chairperson or any other Member from his office if such Chairperson or Member, as the case maybe, -
- (a) is, or at any time has been, adjudged as an insolvent; or
 - (b) has engaged at any time, during his term of office, in any paid employment; or
 - (c) has been convicted of an offence which, in the opinion of the State Government, involves moral turpitude; or
 - (d) has acquired such financial or other interest as is likely to affect prejudicially his functions as the Chairperson or a Member; or
 - (e) has so abused his position as to render his continuance in office prejudicial to the public interest; or
 - (f) has become physically or mentally incapable of acting as the Chairperson or Member; or
 - (g) continuance of the Chairperson or Member, as Chairperson or Member of the Meghalaya Gaming Commission, as the case may be, has become prejudicial to the interest of the general public.

**Registered
Qualified Persons
(RQPs)**

- 17 The Commissioner of Taxes shall empanel a list of Lawyers/Firms, Chartered Accountants/Firms/Finance Experts and IT Companies/Firms of repute to assist in scrutinizing all applications for license under this Act and Rules. Such firms shall require to possess a minimum experience of 5 (five) years in their respective fields of work. The Registered Qualified Persons shall be required to certify the following:-
- (a) In the case of Lawyer/Firm, they will be required to certify that the Applicant is in compliance with the requirements of the Act, Rules and laws for the time being in force.
 - (b) In the case of a Chartered Accountant/Firm or a Merchant Banker, to certify that the Applicant is compliant with the Act, Rules and laws for the time being in force, and has the capabilities to conduct Games of Skill and Games of Chance as applied for, with a viable business plan. They shall also ensure that the Applicants are in compliance of all other statutory requirements that are in force in the country.
 - (c) In the case of an IT Company/Firm, they shall certify that the Applicant is in possession of software that is duly tested and certified for safety and integrity as per standard industry norms.
 - (d) The above certifications shall be required to be furnished by every Licensee to the Commissioner of Taxes for the purpose of obtaining a license, and the Licensing Authority/Commissioner of

Taxes may also call upon the “Registered Qualified Persons (RQPs)” to furnish a report with respect to any licensee at any stage of the license tenure.

- (e) The final decision shall be of the Licensing Authority who shall be required to give due weightage to the opinion of the experts while arriving at the decision of allowing or rejecting the application or for the purpose of cancellation of a License.
- (f) The Licensing Authority may, once every year, in consultation with the Commissioner of Taxes, fix the rates or fees to be paid by the applicants to the Registered Qualified Persons for the certifications. The rates shall be as per standard industry norms.

Maintenance of a Website

18. (a) Every licensee shall, in relation to any Games of Skill and Games of Chance, maintain a website; the front or home page of which shall contain the following, namely :-
- (i) its full name and address of its registered office;
 - (ii) the number of license under which the Games are conducted;
 - (iii) the date on which the license was originally granted and the date of expiry;
 - (iv) The Games which the Licensee is authorized to conduct under the License;
 - (v) a statement that the Games are regulated in Meghalaya State through a legislation;
 - (vi) hyperlink to the websites of the Government and players Anonymous;
 - (vii) one or more hyperlinks to a page or pages setting out:-
 - (1) a summary of the arrangements for registration;
 - (2) a statement that persons under the age of eighteen years are not permitted to register or to participate in the game;
 - (viii) a statement that Games’ debts are enforceable in law in Meghalaya.
 - (ix) There shall not be any content displayed at the website which is prohibited in respect of advertisement under sub rule (b) and (c) of Rule 19 of these Rules.

Maintenance of Physical Premises

19. (a) Every Licensee shall conduct gaming only from such physical premises as is permitted in the License.
- (b) Every Licensee shall prominently display at the entrance of the Physical premises:
- (i) the name of the Licensee,
 - (ii) License Number with date of expiry;
 - (iii) statement that persons below age of 18 years are not permitted to enter;
 - (iv) The Games which the Licensee is authorized to conduct under the License;
 - (v) a statement that the Games are regulated in Meghalaya State

through a legislation;

- (vi) Register containing URL addresses to the websites of the Government and players Anonymous;
- (vii) a statement that Games' debts are enforceable in law in Meghalaya.
- (viii) There shall not be any content displayed at the physical premises which is prohibited in respect of advertisement under sub rule (b) and (c) of Rule 19 of these Rules.
- (ix) No gaming can be conducted through physical premises which are located within **100** meters from the nearest place of worship or educational institution;
- (x) A statement that only those persons shall be allowed entry into the physical premises who are having valid voter ID card or Aadhar card or Driving License or Passport, bearing address outside of Meghalaya.

Advertisement of Games of Skill and Games of Chance

20. (a) Every advertisement of Games of Skill and Games of Chance shall contain URL or, in the case of an advertisement on a website, a hyperlink to the website. If the games are being conducted through a physical premises, then the Advertisement should also contain the address of the Physical Premise as reflected in the License;
- (b) Every advertisement of Games of Skill and Games of Chance shall comply with the following general requirements, namely :-
- (i) it shall not be indecent or offensive;
 - (ii) it shall be based on fact; and
 - (iii) it shall not be false, deceptive or misleading in any material particular;
- (c) Without prejudice to sub-rule(b), every advertisement of Games of Skill and Games of Chance shall comply with the following requirements, namely:-
- (i) it shall not contain any Statement as to the legality or otherwise of Games of Skill and Games of Chance and betting in any other jurisdiction;
 - (ii) it shall not be directed at any jurisdiction in which Games of Skill and Games of Chance on stakes are prohibited;
 - (iii) it shall not have any sexual content;
 - (iv) it shall prominently specify that such gaming is prohibited for a person under eighteen years of age;
 - (v) it shall not contain any material in breach of copyright or registered trademark;
 - (vi) if it makes any claim as to the potential payout of a game, it shall contain sufficient information to enable a person to determine readily and easily the expected percentage return to him over a period of time, disregarding any exercise of skill by him;

- (d) If it appears to the Licensing Authority that any advertisement of Games of Skill and Games of Chance does not comply with sub-rule(b) or (c) they may direct the operator either:-
 - (i) to stop the advertisement being published or shown, or
 - (ii) to take such steps as they may specify to change the advertisement to comply with sub-rule(b) or (c) as the case may be
- (e) A direction under sub-rule(d) shall be in writing and state the grounds on which it is given and the time within which it must be complied with
- (f) If any requirement of sub-rule(b) or (c) is contravened, or if a direction under sub-rule(d) is not complied with, each of the following:-
 - (i) the Licensee and
 - (ii) the person who is the designated official in relation to the licenseeshall be guilty of an offence under Section 14(6) of the Act.

**Certification of
Online Gaming
Server (OGS).**

21. (a) A licensee or the operator acting on his behalf shall, before any Games of Skill and Games of Chance are conducted by means of any OGS, produce to the Government a certificate in writing issued by a person approved for the purpose by the Government that the OGS by means of which it is conducted complies with the standards specified in the Schedule C and is updated regularly from time to time.
- (b) The obligation under sub-rule(a) arises;
 - (i) prior to the licensee or the operator permitting the OGS to be accessed by any player for the placing of wagers; and
 - (ii) on or before the expiry of the periods specified in the license
- (c) Sub-rule(a) will not apply in so far as the licensee or the operator intending to use the OGS produces to the Government a certificate in writing issued by a person approved for the purpose by the Government (prior to the OGS being accessed by players directly or indirectly for the purpose of placing wagers) that the OGS is not different in any material, technical or operational aspect to an OGS already certified as being fully compliant with the Schedule for and on behalf of another operator under sub-rule(a).

**Alteration of
Online Gaming
Server**

22. (a) The OGS by means of which any Games of Skill and Games of Chance are conducted may not without prior approval of the Government or the officer authorized by the Government in this behalf be altered in any way which is likely to affect its compliance with the requirements of the Schedule, subject to sub-rule(b) of Rule 20;
- Provided that if on application for alteration of the OGS by the

operator and no action is taken by the Government or the officer authorized by the Government in this behalf within a period of 30 (thirty) days, the application shall be deemed approved;

Provided further that any alteration of the OGS for the purpose of updating it with the latest information technology developments not likely to affect its compliance with the requirements of Schedule C, the operator shall inform the Government or the officer authorized by the Government within 7(seven) days of such updating for ex-post facto approval of the update and the same shall be deemed approved if no action is taken by the concerned authorities within a period of 30 (thirty) days,

- (b) Sub-rule(a) will not apply to each new game launched by the Licensee provided that nothing in this Rule will obviate the requirements that the OGS continues to comply fully with the Schedule.

**Manner of keeping
the accounts** 23

- (a) Every Licensee shall maintain the accounts of all Games of Skill and Games of Chance showing the details of the Gross Gaming Revenue and the Gaming Royalty payable to the Licensing Authority in a register as may be notified from time to time for the purpose by the Government.
- (b) Every Licensee shall submit to the Commissioner of Taxes a statement of Gross Gaming Revenue and Royalty payable to Government every quarter in **Form-4** as prescribed under sub-rule (b) of Rule 13.

**Identification of
Players and Credit
Facility:** 24

- (a) The Licensee may allow credit facilities to a player up to a maximum of Rs. 25,000/- (Rupees twenty five thousand) for a set of Games. This credit facility is valid for 24 hours.
- (b) The Licensee shall not allow participation of any proxy in the Games of Skill and shall verify the identification of the person playing the games by requiring the individual to submit the photocopy or electronic copy of either Election Photo Identity Card or Aadhar Card or Driving License or Government issued identity Card before such person is allowed to participate in the game.

**Dispute Redressal
Mechanism** 25

- (1) Any dispute between a Licensee and a Player, arising out of or in connection with the conduct of Gaming or online gaming or sports gaming covered by the License granted under the Act, shall be finally settled by way of Arbitration conducted before the Meghalaya Gaming Commission;

- (2) The provisions of the Arbitration and Conciliation Act, 1996 as applicable from time to time, shall apply to Arbitration proceedings conducted under sub-rule (1);
- (3) The seat of such Arbitration proceedings shall only be at Shillong, Meghalaya;
- (4) The Courts at Shillong, Meghalaya shall have exclusive jurisdiction in respect of the matters arising out of or in connection with the Act and these rules.

Section-3

Rules for conduct of games of Chance and Games of Skill by Local Organization.

Eligibility, Form and manner of application for grant of temporary license

26

The Applicant Local Organization shall have to fulfill the following conditions in order to be eligible to apply for grant of Temporary License under the Act:-

- (a) The applicant Local Organization shall be allowed a maximum of two fundraising events during the calendar year and shall have to furnish an undertaking to that effect.
- (b) The Application in Form-5 shall have to be submitted to the Superintendent of Taxes having jurisdiction over the physical premises proposed for the fundraising and shall have to be certified by a public representative or a gazetted officer in the annexure attached with the application regarding the background of the Local Organization.
- (c) The application shall be signed by a minimum of two authorized signatories.
- (d) The application should be accompanied with a valid identity proof of the authorized signatories in the form of an Aadhar card/PAN card/EPIC/Passport.
- (e) The applicant Local organization shall have to furnish a statement duly signed by the authorized office bearer(s) indicating its aims and objectives.
- (f) The applicant Local organization shall have to furnish a statement showing the projected Profit and Loss for the proposed Fund raising event and the actual Profit and Loss Account of earlier event held in the same calendar year.
- (g) The application shall be accompanied with the license fees for the issue of temporary license made via treasury Challan as notified by the Government.

Procedure for grant of temporary license

27

A temporary license under this Act shall be issued in the following manner:-

- (a) The concerned Superintendent of Taxes shall within 3 (three)

working days on receipt of the application, cause an enquiry to be conducted by an Inspector of Taxes.

- (b) The report of the Inspector of Taxes shall be in Form-6 and shall be furnished to the Superintendent of Taxes within 3 (three) working days from the date of endorsement by the Superintendent of Taxes.
- (c) Any deficiency found in the application shall be communicated by the Superintendent of Taxes to the applicant Local Organisation within 10(ten) working days from the date of receipt of the application.
- (d) The deficiency communicated shall have to be rectified by the applicant organization within 10(ten) working days of receipt of the intimation failing which the application shall be deemed rejected.
- (e) On being satisfied with the completeness and correctness of the application, the Superintendent of taxes shall forward the application for Temporary License including all documents to the Commissioner of Taxes within 3(three) working days of such satisfaction.
- (f) The temporary license in Form-7 shall be issued by the Commissioner of Taxes within 5(five) working days from the date of receipt of complete and correct application from the Superintendent of Taxes.

Bar on issuance of temporary license

28

No temporary license shall be issued under the following circumstances:-

- (a) In case there is a dispute between the governing body members of the Local Organisation which has been brought to the information of the Commissioner of Taxes.
- (b) In case an objection is raised by the Local village authorities/ other Local Organisation and the same has been brought to the information of the Commissioner of Taxes.
- (c) In case of more than two fund raising events in the same calendar year.

Non-liability of the Government

29

The Government shall not be liable for any payment promised by the Operator Local Organisation in the nature of a prize, reward, award or any other promise by whatever name called to any participant/player.

Applicability of Goods and Services Tax

30

Notwithstanding anything contained in these Rules, the provisions of the Goods and Services Tax Acts shall be applicable to the Operator Local Organisation.

Refund

- 31
- (a) In the event that the Commissioner of Taxes declined to issue the temporary license, he shall inform the applicant in a speaking order.
 - (b) The fee paid shall be refunded to the applicant Local Organisation on application in Form-8.
 - (c) The refund order shall be in Form-9.
 - (d) The refund shall be recorded in a register to be maintained in Form-10.

S. A. SYNREM,

Commissioner & Secretary to Government of Meghalaya,
Excise, Registration, Taxation and Stamp Department.

Form-1

(See sub-rule (a) Rule 5)

Form of application

To,

The Commissioner of Taxes,
Government of Meghalaya.

Madam/Sir,

I/We/The,

(full name of individual/company/ partnership firm) represented through

.....

S/D/o, R/o..... am/is/are
desirous to apply for a license under the Meghalaya Regulation of Gaming Act, 2021 (Act) to
operate Games of Skill and Games of Chance as specified in Schedule A and Schedule B of the said
Act in Meghalaya.

I/We, therefore, apply for a license under the Meghalaya Regulation of Gaming Act, 2021
(Act) for the purpose referred above.

I/We enclose herewith all the required documents as per the Act and these rules such as the
proof of identification of the applicant/representative of applicant (in case of a company or
partnership firm) along with copies of certificate of registration, Memorandum of Association,
Articles of Association, documents in support of credentials of promoters/partners/applicant, audited
financial statements for three immediately preceding financial years, a note/presentation on the
software technology platform proposed to be used, proposed business plan and financial projections
and other documents required for fulfilling the eligibility requirements for grant of license under the
Act and these rules.

I/We hereby also undertake that in the event of grant of license to me/us, I/We will pay to the
Government the fees as per rate/rates specified under the aforesaid Rules.

I/We enclose herewith a Demand Draft Receipt No.....dated.....for Rs. 1 (one) lakh as
application fee.

Yours faithfully,

Place :.....

Date :.....

Signature of the applicant

Seal of the Company/Firm.

I, _____, being duly sworn, depose and say that the above statements are true and correct to the best of my knowledge and belief and that this statement is executed with the knowledge that misrepresentation or failure to reveal information requested may be deemed sufficient cause for the refusal to issue a games of skill license by the Government of Meghalaya. Further, I am aware that later discovery of an omission or misrepresentation made in the above statements may be grounds for the suspension/cancellation of the license. Further, that I am voluntarily submitting this application under oath with full knowledge of Section 200 in The Indian Penal Code which says that “Using as true such declaration knowing it to be false.—

Whoever corruptly uses or attempts to use as true any such declaration, knowing the same to be false in any material point, shall be punished in the same manner as if he gave false evidence.”

Place :.....

Signature of the applicant

Date :.....

Seal of the Company/Firm.

Sworn before me on this day of,

Seal and signature of notary public

Form-2

(See sub-rule (a) of Rule 7)

Form of Provisional License for Games of Skill and Games of Chance

Provisional License No.....Date.....

This Provisional License is granted to

Shri/Messrs

(full name of individual/company/partnership firm)

For enabling the conduct of Games of Skill and Games of Chance as specified under Schedule A and Schedule B of the Meghalaya Regulation of Gaming Act, 2021 on the following terms and conditions:-

- a) The provisional license is issued for the specific purpose of enabling the applicant individual/company/partnership firm to set up and establish the entire requisite infrastructure and other components necessary for Actual commencement of Games of Skill and Games of Chance activity.
- b) The provisional license does not confer any right to the holder of provisional License to commence the Games of Skill and Games of Chance unless and until all the requirements stipulated by the State Government are fulfilled and the license is issued by the Government.
- c) The holder of provisional License shall operate Games of Skill and Games of Chance within the State of Meghalaya only.
- d) The holder of provisional License shall commence actual operations, i.e., 'go live' within 6 (six) months failing which this provisional license shall lapse.
- e) The holder of provisional License shall make available only the games specified under Schedule A and Schedule B of the Meghalaya Regulation of Gaming Act, 2021. If the holder of provisional License intends to include new games, prior approval of the Government must be obtained.

- f) The holder of provisional License shall allow any Officer authorized by the Government to inspect the setup process or the physical premises from where the Games of Skill and Games of Chance are to be operated.
- g) The Provisional license is valid for 6 (six) months from the date of issue and within the six months of currency of the provisional license, the holder of provisional License shall intimate in writing to the Government that it has complied with the stipulation prescribed hereinabove and such other terms and conditions prescribed in the Act and Rules and is ready to commence actual operation, i.e 'go live' and the State Government, after satisfying itself of compliance of all statutory requirements by the holder of provisional license, may grant to that person initially for one year which shall be renewed yearly upon payment of annual renewal fee, subject to compliance of requirements of the Act and the rules and conditions prescribed in the license, upto a maximum period of five years unless revoked, cancelled, suspended or surrendered.
- h) The holder of provisional License shall pay to the Government a sum of Rs 1,00,000/- (Rupees One lakh) only as Provisional License fee through a Bank Draft in favor of the Commissioner of Taxes, Meghalaya, and submit the same before issue of the said license.
- i) Certified that the holder of provisional License has paid Rs 1,00,000/- (Rupees One lakh) only as fee for issuance of this provisional license vide Demand Draft No..... dated
- j) This license is liable to be cancelled if the holder of provisional License violates any of the above terms and condition and the provisions of the Meghalaya Regulation of Gaming Act, 2021 and the rules made thereunder.

Date.....

Place.....

Seal.....

Form-3

(See sub-rule (b) of Rule 7)

Form of License for Games of Skill and Games of Chance

License No..... Date.....

This license is granted to Shri/Messers Director/Proprietor of

(Name of the person/ Company/Partnership Firm)

..... for conducting Games of Skill and Games of Chance

(detail address of the person/Company/Partnership Firm)

specified under Rule 3 of the Meghalaya Regulation of Gaming Rules, 2021 on the following terms and conditions, namely: -

- a) The holder of provisional License shall operate the Games of Skill and Games of Chance within the State of Meghalaya only;
- b) The holder of provisional License shall ensure that the operation of the Games shall not cause any disturbance or nuisance to any person or individual in any manner whatsoever;
- c) The Licensee shall provide appropriate On-line facility/ network to the player of the Games of Skill and Games of Chance.
- d) The Licensee shall make available only the games specified under Schedule A and Schedule B of the Meghalaya Regulation of Gaming Act, 2021. If the Licensee intends to include new games, prior approval of the Government shall be taken by him.
- e) The Licensee shall allow an officer authorized by the Government to inspect the physical premises from where the Games are operated.
- f) This license shall be valid initially for a period of one year w.e.f..... subject to annual renewal, for a maximum period of five years from the above date, upon payment of the prescribed annual License fee within the time prescribed in the Rules.
- g) This license is granted to the Licensee subject to the provisions of the Meghalaya Regulation of Gaming Act, 2021 and the Meghalaya Regulation of Gaming Rules, 2021.
- h) Certified that the licensee has paid Rs. 2,00,00,000/- (Rupees two crores) only as fee for issuance of this license vide challan No..... dated.....
- i) This license is liable to be cancelled if the licensee violates any of the above terms and conditions and the provisions of the Meghalaya Regulation of Gaming Act, 2021 and the Rules made thereunder.

Date.....

Place.....

Authorized Officer,

Seal.....

Form-4

(See sub-rule (b) of Rule 13)

STATEMENT OF ACCOUNT OF GROSS GAMING REVENUE (to be submitted quarterly by the
Licensee)

Year.....

Quarter.....

Sl. No.	Date	Time	Name of the Game	Amount/ Gaming revenue (in Rupees)	Total (in Rupees)	Amount of Government Royalty (in Rupees)
1	2	3	4	5	6	7

Certified that the above figures are verified by me and found to be in order.

Signature.....

Name.....

Designation of Licensee/operator

Form-5

(See sub-rule (b) of Rule 25)

Form of application for temporary license under the Meghalaya Regulation of Gaming Act and Rules, 2021

To,

The Commissioner of Taxes,
Government of Meghalaya.
(Through the Superintendent of Taxes
Circle _____)

Madam/Sir,

We the ,

(full name of Applicant Local Organisation) represented through the following authorised signatories

(1).....S/D/o....., R/o.....

(2)S/D/o..... R/o.....

are desirous to apply for a temporary license under the Meghalaya Regulation of Gaming Act, 2021(hereinafter called “the Act”) to operate Games of Skill and/or Games of Chance as specified in Schedule A and Schedule B of the said Act in Meghalaya.

The following are the particulars of the fundraising event:-

1. Name of the Local Organisation.: _____
2. Address _____
3. Contact No. _____
4. Email Address _____
5. Description of event proposed to be held _____
6. whether Games of Chance or Games of Skill or both _____
7. Other stalls of ring goods/service or both (if any) _____ (yes/No)
If yes details thereof _____ (annexure to be enclosed if necessary)
8. Date (s) on which event is proposed to be held _____
9. Rate of admission to the premises _____
10. Number of stalls for each game of Chance and/or Game of Skill
(detailed Annexure to be attached duly signed by applicants)

11. Rate of admission to the individual events/entertainments within the premises _____
12. Number of books and tickets printed for Sl. No. 9 & 10 _____
13. Projected turnover for this fundraising event _____
14. Turnover of the last fundraising event in the same financial year _____
15. Frequency of event (No. of times annually) _____
16. GST registration if any :- _____

I/We enclose herewith a Treasury Challan No.....dated.....for Rs..... as application fee.

Yours faithfully,

Place :.....

Signature of the applicant

1.(name.....)

2.(name.....)

Date :.....

Seal of the Local Organisation.

ANNEXURE TO FORM-5**(see sub-rule (b) of Rule 25)****To whom it may concern**

**This is to certify that the Local Organisation by the name.....
address..... and its Governing body members are well known to me and the aims and
objectives of the Local Organisation are as under:-**

- 1.**
- 2.**

**I further certify that nothing is known against the Local Organisation and the governing
body members.**

Dated at:

Signature

Name

MP/MLA/MDC/Gazetted Officer

(seal)

FORM-6**(see sub-rule(b) of Rule 26)****Format for Inspector's Report on application for TEMPORARY LICENSE under the Meghalaya regulation of Gaming Act and Rules, 2021**

1. Name of the applicant/ organisation etc.: _____
 2. Address _____
 3. Contact No. _____
 4. Email Address _____
 5. Description of event proposed to be held _____
 6. Types of Games of Chance or Games of Skill or both _____
 7. Date (s) on which event is proposed to be held _____
 8. Rate of admission to the premises * _____
 9. Rate of admission to the individual events/entertainments within the premises * _____
 10. Number of stalls _____ (detailed annexure duly signed by Inspector to be attached)
 11. Number of books and tickets printed for Sl. No.8 & 9 _____
 12. Estimated turnover for this fundraising event _____
 13. If estimated turnover is different from the projected turnover made by applicant, reasons thereof _____
 14. Frequency of event (No. of times annually) _____
 15. GSTIN if any :- _____
 16. Name and address including contact number and email address of authorized signatories:-
(i) _____
-

(ii) _____

17. Dispute if any between members of Governing Body- Yes/No. If yes, details thereof _____
18. Objection if any from village authorities/ other organizations- Yes/No. If yes, details thereof _____
19. Date of interview/ inspection of premises of proposed event _____
20. Date and place of report _____
21. Other observations if any _____
22. Name of the Inspector of Taxes _____

Signature of the Inspector of Taxes

23. Remarks of the Superintendent of Taxes _____

Signature of the Superintendent of Taxes

24. Recommendation of the officer not below the rank of Assistant Commissioner of Taxes for issuance of temporary license _____

25. Recommendation of the officer at Sl. No. 23 on whether registration under GST is required or not _____

**Name and signature of the Officer
making recommendation at Sl. 23&24**

**Note:- Annexure may be enclosed if necessary.*

**GOVERNMENT OF MEGHALAYA
OFFICE OF THE COMMISSIONER OF TAXES, ETC.,
MEGHALAYA, SHILLONG.**

FORM-7

(see sub-rule (f) of Rule 26)

TEMPORARY LICENSE

(Under the Meghalaya Regulation of Gaming Act and Rules, 2021)

TEMPORARY LICENSE No...

VALID FROM UPTO.....

1. This is to certify that M/s..... (herein please enter the name of the Local organization) whose principal address is situated atP.O. Police Station of District has been licensed/permitted to conduct the Game of Chance and/or the Game of Skill at(herein please enter the physical premises where the fundraising event is permitted to be located, subject to compliance with the instructions of the District Administration.

The following are the Games of Chance and/or Games of Skill permitted to be conducted at the said event:-

1. _____ 2. _____
3. _____ 4. _____
5. _____ 6. _____
n. _____

**Dated at Shillong,
The**

**Commissioner of Taxes,
Meghalaya, Shillong**

FORM-8**(see sub-rule (b) of Rule 30)**

(Application for Refund of fee paid for Temporary License under the Meghalaya Regulation of Gaming Act, 2021 and Rules framed thereunder)

To the Commissioner of Taxes,
Meghalaya, Shillong.

I/We the authorised signatory(ies) of Local Organisation _____
(herein please enter the name and address of the Local Organisation) do hereby apply for refund of the application fee paid for a temporary license, amounting to Rs. _____ (Rupees _____) only paid vide Treasury Challan No. _____ dated _____ due to non-issuance of the temporary license because of the following reason(s):-

Reason 1.

2.

The refund may be credited to the Account of the Local Organisation as under:-

Account Holder's name _____

Bank name _____ **Branch** _____ **Account No.** _____

Dated:

Signature of authorized signatory(ies)
Designation.

**GOVERNMENT OF MEGHALAYA
OFFICE OF THE COMMISSIONER OF TAXES, ETC.,
MEGHALAYA, SHILLONG.**

**FORM-9
(see sub-rule (c) of Rule 30)**

**Refund order
(of application fee for temporary license under the Meghalaya Regulation of Gaming Act,
2021 and Rules thereunder).**

No. _____

date _____

To the Treasury Officer/Sub-Treasury Officer,
at _____

Certified that a sum of Rs. _____ (Rupees _____) only is refundable to the
Local Organisation _____ (herein please enter the name of the Local
Organisation).

Certified that the amount has been credited in the treasury and figured at Sl.No. _____
date _____ of the treasury scroll.

Certified that no refund order in respect of this sum has previously been granted.

Please pay to _____ (herein please enter the name of the Local Organisation) by direct
credit to account name _____ Bank name _____
Branch _____ Account No. _____

Commissioner of Taxes,
Meghalaya, Shillong

**GOVERNMENT OF MEGHALAYA
OFFICE OF THE COMMISSIONER OF TAXES, ETC.,
MEGHALAYA, SHILLONG.**

FORM-10

(see sub-rule (d) of Rule 30)

Refund Register

Sl.No.	Name of Local Organisation	Tresasury Challan No.	Date	Amount of refund allowed	Refund Order No. Date	Remarks
1	2	3	4	5	6	7

SCHEDULE C

(see Rule 20)

REQUIREMENT WITH WHICH OGS MUST COMPLY

General

1. The OGS must –
 - (a) follow the game rules published to the player or prior to its placing any wagers;
 - (b) provide over specified periods no more than the house advantage agreed by the Commissioner with the operator; and
 - (c) integrate contingencies for loss of continuity of play; and
 - (d) if utilized in any peer-to-peer game, ensure that over the specified periods that no one player has any advantage over any other player playing the same game.
2. Both the gaming and financial transactions software must be congruent and secure Randomness.
3. The OGS must satisfy the following criteria for randomness for any gaming, namely:-
 - (a) The data must be randomly generated, passing appropriate statistical non static output results tests of randomness (e.g. Marsaglia's 'Diehard' set of tests) uniformly distributed over the set range;
 - (b) The data must be unpredictable, i.e. it must not be computationally feasible to predict what the next number will be, given complete knowledge of the algorithm or hardware generating the sequence, and all previously generated numbers; and
 - (c) The series cannot reliably be reproduced, i.e. if the sequence generator is activated again with the same input (as exactly as humanly possible) it will produce two completely unrelated random sequences
4. The licensee must disclose the methodology of any random seeding and any seeding must be proven to result in an unpredictable output.
5. The outcome of any game, and the return of the player, must be independent of the CPU, memory, disk or other components used in the computer or other device used by the player
6. The game outcome must not be affected by the effective bandwidth, link utilization, bit error rate or other characteristic of the communications channel between the OGS and the computer or other device used by the player.

7. The OGS must be able to display for each game the following information (i.e. on the current page or on a page directly accessible from the current page via a hyperlink):

- (a) the name and rules of the game;
- (b) restrictions on the play;
- (c) instructions on how to play, including a pay-table for all prizes and special features;
- (d) the player's current account balance and the currency or currencies utilized to place wagers;
- (e) unit and total wagers permitted;
- (f) the return to the player, or sufficient information to enable a player to determine readily and easily the expected return to him in relation to any game, disregarding any exercise of skill by him; and
- (g) for the specified periods in which the tests take place, the percentage of total wagers returned to players in relation to all house games offered by the operator.



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PART-IIA

GOVERNMENT OF MEGHALAYA
EXCISE, REGISTRATION, TAXATION & STAMPS DEPARTMENT

NOTIFICATION

The 21st December, 2021.

No.ERTS (S) 1/2018/223. - In exercise of the powers conferred by sub-clause (i) of clause (a) of Section 25A of the Court Fees (Meghalaya Amended, 2020) Act, 1870, the Governor of Meghalaya is pleased to make the following Rules namely:-

RULES

CHAPTER – I –Preliminary

1. **Title and commencement:** - (1) These Rules may be called The Meghalaya E-Court Fees Rules, 2021.
- (2) They shall extend to the whole state of Meghalaya.
- (3) They shall come into force from the date of publication in the official Gazette.
2. **Definitions:-** (1) In these Rules unless the context otherwise requires:-
 - (a) “Act” means the Court Fees Act, 1870 as amended from time to time in its application to Meghalaya
 - (b) “Agreement” means the agreement executed under Rule 6.
 - (c) “Appointing Authority” means the Government of Meghalaya represented by the Superintendent of Stamps.
 - (d) “Authorised Collection Centre” or “Approved Intermediary” shall mean and include an agent appointed under Rules 12 and 13 of these rules.
 - (e) “Central Record Keeping Agency” means and includes an agency for computerization of Court Fee Administration System appointed under Rule 4.

- (f) "Central Server" means the computer system maintained by the Central Record Keeping Agency, where all transactions pertaining to E-payment of Court Fees through the Authorised Collection Centre or Approved Intermediary are maintained.
- (g) "Department" means the Department of Excise, Registration, Taxation & Stamps of the Government of Meghalaya.
- (h) "Depository Services" means and includes depository related services rendered in de-mat account or trading account in respect of marketable securities and other auxiliary services.
- (i) "Document" means and includes all articles included in Schedule I and Schedule II appended to The Court Fees Act, 1870 as applicable to Meghalaya and also Tender or any document filed in an office of the Government of Meghalaya where payment of Court Fee has been mandated.
- (j) "E-Court Fee Certificate" means an electronically generated impression on paper to denote the payment of Court Fee levied under Schedule I and Schedule II of Act No.7 of 1870.
- (k) "Form" means a form prescribed by the appointing authority from time to time.
- (l) "Government" means the Government of Meghalaya.
- (m) "Grievance Redressal Officer" means and includes the officer authorised by the Superintendent of Stamps, to be the Grievance Redressal Officer.
- (n) "Group A Officers" means Officers in the level of Inspector General of Registration/Joint Inspector General of Registration/District Registrar and Sub Registrar
- (o) "High Court" means the Hon'ble High Court of Meghalaya.
- (p) "Penalty" means the sum of money levied on the Central Record Keeping Agency for violation of any of the provisions of these Rules on its own account or on account of violation by the Approved Intermediary or Authorised Collection Centre.
- (q) "State" means the State of Meghalaya

(2) The words not defined in these Rules shall have the same meaning as assigned to them in the Court Fees Act (Central Act No. 7 of 1870) and the Information Technology Act, (Act No.21 of 2000).

CHAPTER-II

Central Record Keeping Agency

3. **Eligibility for appointment as Central Record Keeping Agency** - Any Public Financial Institution, Scheduled Bank or Body Corporate engaged in providing depository services appointed by Central Government or recognized by State Government or any Body Corporate where not less than 51 percent of equity capital is held by any of the entities mentioned above, either solely or in consortium, shall be eligible for appointment as Central Record Keeping Agency.
4. **Appointment of Central Record Keeping Agency** - The Appointing Authority shall select and appoint by notification an agency to function as Central Record Keeping Agency for the State or for the specified districts or places in the State from time to time, by adopting any of the following orders of preference namely:-

- a) on the basis of recommendations, if any, of the Central Government regarding appointment of Central Record Keeping Agency, issued from time to time, and in case such recommendation is not available;
 - b) by inviting technical and commercial bids through a duly constituted expert selection committee by the Government.
5. **Term of appointment** - The term of appointment of the Central Record Keeping Agency shall be for five years or such period as decided by the Appointing Authority.
6. **Agreement, Undertaking and Indemnity Bond** - (1) The Central Record Keeping Agency shall execute an Agreement in **FORM I** appended to these Rules.
- (2) Service Level Agreement in **Annexure-A** shall also be executed between the Appointing Authority and the Central Record Keeping Agency to develop and implement the E-Court Fees Administration System.
- (3) The terms and conditions of the Agreement in **Form-I** may be modified by mutual consent of both the parties to it.
- (4) The Central Record Keeping Agency shall execute an "Undertaking and Indemnity Bond" in **FORM-2**.
- (5) The Appointing Authority may amend the Forms by notification in the official Gazette after consultation with the CRA.
7. **Termination of appointment of Central Record Keeping Agency** - (1) The appointment of the Central Record Keeping Agency may be terminated by the Government before the agreed term of appointment, on the ground of any breach of obligation or term of agreement or financial irregularity or for any other sufficient reason, such termination is justified according to the Appointing Authority.
- (2) The decision to terminate the appointment under sub- rule (1) shall be made;-
- (a) after the Central Record Keeping Agency has been given one month's Show-cause Notice specifying the details of grounds for such termination, and
 - (b) has been given a reasonable opportunity of being heard.
- (3) The Appointing Authority, if it is of the opinion that the provision(s) of the Court Fees Act (as applicable to Meghalaya) have been violated, after following the procedure under sub- rule (2), shall fix a time line for remedy of the breach.
8. **Renewal of appointment** - (1) The application for renewal of appointment of the Central Record Keeping Agency shall be made to the Appointing Authority at least three months before the expiry of the running term of appointment.
- (2) The Appointing Authority before taking decision on the application may call for any information or record from the concerned Offices or Central Record Keeping Agency or Authorised Collection Centre or Approved Intermediary or any other person, institution or authority, constituted under any Law for the time being in force.
- (3) The Appointing Authority shall forward the application along with its recommendation for renewal or rejection with reasons thereof, to the Government.
- (4) The Government, if it is satisfied, may renew the term of appointment made under Rule 5.

- (5) In the event of the Government deciding to renew the appointment, a fresh Agreement in **Form-1**, a fresh Service Level Agreement and "Undertaking and Indemnity Bond" in **Form-2**, shall be executed by the Central Record Keeping Agency.
- (6) The Government may refuse the renewal of term of appointment **for reasons to be recorded in writing** and its decision shall be final and binding.

CHAPTER - III

Duties of the Central Record Keeping Agency

9. **Duties of Central Record Keeping Agency** – (1) The Central Record Keeping Agency shall be responsible for,-
- (a) Providing need-based hardware and software infrastructure at the designated locations and connectivity with the main server, in consultation with the Appointing Authority, in specified districts or places such as the offices of Superintendent of Stamps, High Court of Meghalaya, District & Sessions Judge, Shillong, Chief Judicial Magistrate, Shillong, Assistant District Judge, Shillong, Additional Deputy Commissioner (J)/ Assistant to Deputy Commissioner, Shillong, Munsiff, Shillong, other District and subordinate Courts, Authorised Collection Centres and Approved Intermediaries (the points of contact for payment of Court Fee) and other places in the State, as specified from time to time by the Appointing Authority.
 - (b) Providing suitable and adequate Training to the identified manpower or Personnel of the Department of Stamps and Registration and different Courts in the state;
 - (c) Facilitating selection of Authorised Collection Centres and Approved Intermediary as appointed under rule 12 and 13 of these for collection of Court Fee and issuing E-Court Fee Certificate.
 - (d) Coordinating between the Central Server, Authorised Collection Centres / Approved Intermediaries and the offices of the Superintendent of Stamps, offices of the Courts or any other office or place in the state, as specified from time to time, by the Appointing Authority.
 - (e) Collecting Court Fee and remitting it to the prescribed Heads of Account of the State in accordance with these rules.
 - (f) Preparing and providing various reports as required under these rules and as directed by the Hon'ble High Court or the Appointing Authority from time to time.
- (2) (a) The Central Record Keeping Agency shall not provide, transfer or share without the written permission of the Appointing Authority, any hardware, software or any technology or details in respect of the E-Court Fees project undertaken by it in the State to any person other than the duly appointed Authorised Collection Centre or Approved Intermediary.
- (b) The Central Record Keeping Agency shall deploy the E-Court Fees application software only after the security audit by an agency approved by the Central or State Government is completed. Such security audit shall also be obtained whenever there is a change in the E-Court Fees applications subsequently.

- (c) The Central Record Keeping Agency shall maintain the logs of all the activities on the server dedicated for E-Court Fees as per the guidelines of the Indian Computer Emergency Response Team on regular basis.
10. **Commission allowable to the Central Record Keeping Agency** - (1) The Central Record Keeping Agency will be entitled to such commission on the amount of E-Court Fees collected as notified by the Government from time to time.
- (2) The commission payable to Central Record Keeping Agency shall be subject to the conditions specified in Rule 19.
11. **Specification of software to be used by Central Record Keeping Agency** – The Central Record Keeping Agency in consultation with the Appointing Authority, shall design and use such software to indicate the following minimum details on the E-Court Fee Certificate (Such details should also be contained in the Bar Code or QR Code):
- a. Distinguished serial number or Unique identification number of the E-Court Fee Certificate so that it is not repeated on any other E-Court Fee Certificate during the lifetime of the E-Court Fee system.
 - b. Date and time of issue of the E-Court Fee Certificate.
 - c. Amount of Court Fee paid through the E-Court Fee Certificate, in words and figures.
 - d. Name and address of the litigant for amount greater than Rs. 500/- (Rupees Five hundred) only for E-Court Fee Certificate issued by ACC offline and name and address of the litigant for all denominations of E-Court Fee Certificate issued online.
 - e. Names of the litigant(s) to the document.
 - f. Code and location of the ‘E-Court Fee Certificate issuing branch’ of the Central Record Keeping Agency or Authorized Collection Centre or Approved Intermediary.
 - g. Any other distinguishing mark of the E-Court Fee Certificate e.g. bar code or security code or QR code containing the details and any other details not reflected visually on the E-Court Fee Certificate;
 - h. Space for signature and seal of the ‘E-Court Fee Certificate issuing officer or authorized signatory’ of the Central Record Keeping Agency or Authorised Collection Centre or Approved Intermediary;
 - i. Availability of facility to Superintendent of Stamps, Registrar General of the High Court, District & Sessions Judge, Shillong, Chief Judicial Magistrate, Shillong, Assistant District Judge, Shillong, Additional Deputy Commissioner (J)/ Assistant to Deputy Commissioner, Shillong, Munsiff, Shillong, other District and subordinate Courts, and other places in the State, as specified from time to time by the Appointing Authority to disable or lock the E-Court Fee Certificate, to prevent the repeated use of any E-Court Fee Certificate;
 - j. Facility to cancel the “spoiled, unused or not required for use” E-Court Fee Certificate.
 - k. Providing for passwords and codes to the designated or authorized officials of the Department/ Appointing Authority or Registrar General of the High Court and any or all such officers nominated by him to search and view any E-Court Fee Certificate and to access Management information System (MIS) and Decision Support System (DSS) reports.

- l. Availability of details of the issued E-Court Fee Certificate on the E-Court Fee Server maintained by the Central Record Keeping Agency.
- m. Availability of different transaction details and reports relating to the E-Court Fee which will be accessible to the officers designated or authorized by the Appointing Authority and/or the Registrar General of the High Court.

CHAPTER-IV

Authorized Collection Centres (ACC) or Approved intermediary (AI)

12. **Appointment of Authorised Collection Centre or Approved intermediary** – (1) The Central Record Keeping Agency shall appoint Authorised Collection Centres and/ or Approved Intermediaries with the prior approval of the Appointing Authority to act as an intermediary between the Central Record Keeping Agency and the Court Fee payer for collection of Court Fee and for issuing E-Court Fee Certificate.
(2) The service charges, commission or fees etc. by whatever name called shall be the exclusive and mutual agreement between the Central Record Keeping Agency and the Authorised Collections Centres or Approved Intermediaries and the Appointing Authority shall have no liability towards any of their mutually agreed service charge, commission etc.
13. **Eligibility for appointment of Authorised Collection Centre or Approved Intermediary**- All the offices or branches of the Central Record Keeping Agency located within Meghalaya, any Scheduled Bank, Financial Institution or undertaking controlled by Central or State Government, Post Offices, vendor or such other agencies as approved by the Appointing Authority shall be eligible for appointment as Authorised Collection Centre or Approved Intermediary.
14. **Central Record Keeping Agency to collect Court Fee** - All the offices or branches of the Central Record Keeping Agency, Authorised Collections Centres or Approved Intermediaries authorised in this behalf by the Appointing Authority, shall be entitled to collect the amount of Court Fee from the Court Fee payer, in different Courts or places as specified by the Appointing Authority from time to time and issue the e-Court Fee Certificate accordingly.
15. **Infrastructure** - The Approved Intermediaries or Authorised Collection Centres shall be equipped with the required computer systems, printers, internet connectivity and other related infrastructure which are necessary to implement the E-Court Fee system as specified by the Central Record Keeping Agency from time to time in consultation with the Appointing Authority.
16. **Cost of Infrastructure** - The cost of providing equipment and infrastructure referred to in Rule 15 shall be borne by the concerned Authorised Collection Centres or Approved Intermediaries or Central Record Keeping Agency as the case may be.
17. **Government to provide necessary hardware and infrastructure in the offices of the Department** - The Government shall provide necessary Hardware and infrastructure at the offices of the Superintendent of Stamps, different Courts, or such other offices, authorised in

this behalf, which would include Personal Computer, printer, bar / QR code scanner, internet connection, as required for implementing the E-Court Fees Administration System.

18. **Termination of agency of Authorised Collection Centre or Approved Intermediary** - The Appointing Authority may at any time, for reasons to be recorded in writing, direct the Central Record Keeping Agency to terminate the agency of any Authorised Collection Centre or Approved Intermediary and upon such direction, the Central Record Keeping Agency shall terminate the agency of such Authorised Collection Centre or Approved Intermediary.
- 19.

CHAPTER - V

Remittance of the Court Fee to Government account

19. **Central Record Keeping Agency to Remit the Court Fee (less, the prescribed discount or commission and applicable taxes) to Government account on next working day** - (1) The Central Record Keeping Agency shall be responsible to remit the consolidated amount of E-Court Fee collected by its offices, branches or by its Authorised Collection Centres or Approved Intermediaries to "0030 - Stamps and Registration fees - 01 - Stamps Judicial - 102 - Sales of Stamps (01) Judicial Stamps" head of account or any other notified head of account of the State, in the manner prescribed hereunder:

- (i) In case of E-Court Fee, collected by way of **E-Court Fee Certificate**, the Central Record Keeping Agency shall remit the consolidated amount of Court Fee (less, the prescribed commission and the applicable taxes) to the prescribed head of account of the state, not later than the closing of the next working day, after the day of such collection of the amount of E-Court Fee.

Provided that if the Central Record Keeping Agency was prevented by Banking Network outages, disruptions or force majeure from doing so, the said time limit for remitting the amount of E-Court Fee shall be extended by a further period of 2 (two) more days on sufficient reason (s) shown to the satisfaction of the Appointing Authority.

- (2) The method of remittance of the amount of E-Court Fee by the Central Record Keeping Agency to the prescribed head of account of the State will be through electronic clearing system, challan or through the Government Receipt Accounting System or as may be directed in writing by the Appointing Authority from time to time.
- (3) The remittances referred to in this rule shall be made to the Government authorized Treasury or Bank and the Central Record Keeping Agency shall maintain the daily account of such remittances in the Register as prescribed in **Form-3**.

CHAPTER- VI**Procedure for Issue of E-Court Fee Certificate**

20. **Application for E-Court Fee Certificate** - Any person desiring to pay Court Fee may approach any of the Authorised Collection Centres or Approved Intermediaries and furnish the requisite details in **FORM-4 or FORM -7 as applicable** along with the payment of E-Court Fee amount, for getting the E-Court Fee Certificate;
Provided that any person may directly login to the designated portal of the CRA and directly pay the amount of E-Court Fee upto ₹ 100/- (Rupees one hundred) only after first registering in the system, and the CRA shall **after prompting the purchaser to verify the correctness of the entries in FORM-4 or FORM -7 as applicable**, provide a downloading facility for the E-Court Fee Certificate, for denomination not exceeding ₹ 100/- (Rupees one hundred) only.
21. **Mode of payment of Court Fee**— (1) The payment for purchase of E-Court Fee Certificate may be made by means of cash, pay order, Bank draft, Electronic Clearing System, Real Time Gross Settlement or by any other mode of transferring funds as authorized by the Appointing Authority.
(2) The Authorized Collection Centre or Approved Intermediary or the Authorised Officer of the Central Record Keeping Agency (in case of direct purchase through the portal of the Central Record Keeping Agency) shall issue E-Court Fee certificate for the amount received through any of the modes of payments mentioned in sub-rule (1).
22. **Issue of E-Court Fee Certificate** - (1) The Authorised official of the Central Record Keeping Agency, Authorized Collection Centre or Approved Intermediary shall, on the payment made under Rule 21, perform the following tasks,-
(i) the requisite information and details of the applicant as per **FORM-4 or FORM-7 as applicable** is to be entered in the computer system by ACC/AI/Self;
(ii) the correctness of such entered details is verified by the applicant. The CRA shall allow correction of the entries till such time the E-Court Fee Certificate is not issued.
(iii) his signature obtained on the application as proof of verification for value of E-Court Fee Certificate of Rs.500/- (Rupees five hundred) only or more.
(iv) download the E-Court Fee Certificate (vide **Annexure-A1**), take out its print, sign with date and affix his official seal on the print- out; and
(v) issue the E-Court Fee Certificate to the applicant.
Note: In case of purchase of E-court Fees by the applicant directly from the designated portal of CRA, the proviso given in Rule 20 shall apply.
(vi) To maintain the daily account of E-Court Fee Certificates issued in **FORM-5**.
(2) The ink to be used in the E-Court Fee Certificate printer must be non-washable permanent black.
23. **Signature and seal on E-Court Fee Certificate, Size of paper and only Regular employee to be designated as issuing officer** - (1) The signature and seal showing name and designation of the issuing Officer and name and address of the branch of Approved Intermediary shall be made in black ink or the information shall be contained in a Bar Code or QR code.

- (2) The online E-Court Fee Certificate shall be printed on 80 GSM quality plain white paper and also for offline E-Court Fee Certificate upto one hundred rupees denomination as per size mentioned herein and on 80 GSM quality coloured paper for denomination exceeding one hundred rupees, of the size 210 Mms X 297 Mms with a margin of 3.5 Cms on the left and 1.5 Cms, on the right side of the page or such other paper size and appropriate margins as may be determined by Appointing Authority.
- (3) The Approved Intermediary or Authorised Collection Centre, shall ensure that the person who has been authorised to issue E-Court Fee Certificate is an authorised employee/ personnel of the Authorised Collection Centre or Approved Intermediary having suitable credentials.
24. **Details of E-Court Fee Certificate to be on website** - The details of the issued E-Court Fee Certificate shall be made available on the E-Court Fee Server maintained by the Central Record Keeping Agency and shall be accessible to any person authorised by the Appointing Authority in this behalf, including the Registrar General of the High Court of Meghalaya or any Designated Official of the High Court or Subordinate Court holding a valid code or password which shall be provided by the Central Record Keeping Agency.
25. **Registering officer to verify the details of E-Court Fee certificate** –(1) The Registrar General of the High Court or any Designated Official of the High Court or Subordinate Courts shall verify the details of the E-Court Fee Certificate used in an instrument by entering its distinguishing Unique Identification Number, Bar Code or Quick Recognition Code in the computer system after accessing the relevant website of the Central Record Keeping Agency using the code or password provided by the Central Record Keeping Agency and verify the details of the certificate with the details displayed on the system.
- (2) The Registrar General of the High Court or any Designated Official of the High Court or Subordinate Court shall on receipt of the user Id and password from the Central Record Keeping Agency immediately change the same and it shall be the responsibility of such official to maintain the confidentiality of the user Id and password and any loss to the Government due to misuse of the same shall be the sole responsibility of the concerned official.
26. **The Registrar General of the High Court or any Designated Official of the High Court or Subordinate Court (or Authorised Collection Centre or Approved Intermediary (in case of E-Court Fee Certificate for tender documents and other applications to Government offices) to disable the distinguishing serial number of the E-Court Fee Certificate** – (1) After verifying the details, the Registrar General of the High Court or any Designated Official of the High Court or Subordinate Court shall affix his seal and signature on the hard copy of the E-Court Fee Certificate and deface or lock the distinguishing unique identification number of the E-Court Fee Certificate in the system to prevent repeat use of such E-Court Fee certificate;

Provided that for E-Court Fee Certificate intended to be used for the purpose of affixing on Tender documents and other applications to be submitted to Government Offices where payment of Court Fee is mandated, the Central Record Keeping Agency shall provide a

mechanism to auto-lock the E-Court Fee Certificate and the Central Record Keeping Agency/ Authorised Collection Centre or Approved Intermediary.

(2) The Registrar General of the High Court or any Designated Official of the High Court or Subordinate Court, as the case may be, shall affix his seal and signature on the E-Court Fee Certificate.

CHAPTER - VII

Cancellation and refund of E-Court Fee

27. Procedure for refund of spoiled, unused or not required for use E-Court Fee Certificate –

(1) The Superintendent of Stamps may, on an application in the prescribed format (**Form-6**) accompanied with the original 'spoiled, unused or not required for use E-Court Fee certificate', if satisfied, as to the facts and circumstances of the case, make an allowance of such E-Court Fee Certificate;

Provided further that there shall be no refund for E-Court Fee Certificate issued under the proviso to sub-rule (1) of Rule 26.

(2) The Superintendent of Stamps may, on an application in the prescribed format (**Form-6**) in accordance with the provisions of Sections 10, 13, 14, 15, of the Act, make refund of the excess Court Fee paid.

28. Cancellation of E-Court Fee Certificate and refund - (1) The Superintendent of Stamps after such verification shall cancel the verified E-Court Fee Certificate in the system, endorse the fact of cancellation on the E-Court Fee Certificate with his signature and seal and refund the amount as required in the said Act and disable or lock such E-Court Fee certificate in the system.

(2) The Superintendent of Stamps shall maintain a record of such cancelled E-Court Fee Certificates in his office and send the details of the same to the Government, in the first week of every month.

(3) The refund, if any, under sub-rule (1) shall be made by the Superintendent of Stamps only by means of Treasury cheque drawn in favour of the person in whose name the E-Court Fee Certificate was issued.

Chapter VIII

Inspections, audit and appraisal of the performance of the system

29. Authorised Officer for Inspection - (1) The Appointing Authority or any authorised officer of the Department and any private or public sector technical cum audit expert or agency duly authorised by the Government, in this behalf may inspect all or any of the branches or offices of the Central Record Keeping Agency, Authorised Collection Centre or Approved Intermediaries located within its jurisdiction as prescribed in the "Schedule of Inspections" vide **Annexure-1**.

(2) The Government of Meghalaya may, however, at any time on receipt of a complaint or suo motu, direct any official of the Department to inspect any branch or office of the Central Record Keeping Agency, Authorised Collection Centres or Approved Intermediaries and to submit report, besides the regular inspections mentioned in sub-rule (1).

(3) The Accountant General Meghalaya may also conduct annual audit of the receipts and remittances made by the Central Record Keeping Agency.

- 30 **Schedule for Inspections and audit** - All or any of the branches or offices of the Central Record Keeping Agency, Authorised Collection Centre or Approved Intermediaries in the state may be inspected and audited, as far as possible, according to the schedule for inspections and audit contained in **Annexure 1**.
- 31 **The Central Record Keeping Agency, Authorised Collection Centre or Approved Intermediary bound to provide information** - During such inspection, the inspecting officer or the expert or agency may require the Officer in-charge of such branch or office to provide any information in soft and or hard copy of any electronic or digital records with regard to the collection and remittance of E-Court Fee relating to any period and the concerned Central Record Keeping Agency, Authorised Collection Centre or Approved Intermediary shall be bound to provide such information.
- 32 **Inspection report** - The Inspecting Officer shall within one week and the technical cum audit expert or agency shall within two weeks from the date of inspection, submit the inspection report containing the omissions, violations or irregularities if any, and give suggestions and recommendations to the Appointing Authority.
- 33 **Appointing Authority to take appropriate action** - The Appointing Authority on receipt of such inspection report may take appropriate action including imposition of penalty in accordance with Chapter IX of these Rules and/or forward its recommendation to the Government for termination of appointment of Central Record Keeping Agency, the Authorised Collection Centre or Approved Intermediary, if so warranted by the circumstance, after giving an opportunity of being heard.

CHAPTER - IX

Penalty for omissions and violations

- 34 **Interest and Penalty for delay in remittance to government account** - In case the Central Record Keeping Agency fails to remit the amount of Court Fee collected within the period as stipulated in Rule 19, the Central Record Keeping Agency shall be liable, as specified in the terms of the agreement (in **Form-1**) entered into between the Superintendent of Stamps and the Central Record Keeping Agency, to pay, along with the collected amount of Court Fee, an interest amount calculated @ 18% per annum on the amount of Court Fee so collected, for the period of delay in day(s). Any part of a day will be treated as one day for the purpose of such calculation;
- Provided that the Appointing Authority may, after giving the opportunity of being heard, impose on the Central Record Keeping Agency a penalty equivalent to twice the amount of delayed remittance in addition to the interest payable.**
- 35 **Resolution of disputes and place for resolving disputes** -In case of any dispute on any issue between the Appointing Authority and the Central Record Keeping Agency, the matter shall be referred to a mutually agreed Arbitrator under the provisions of the Indian Arbitration and Conciliation Act, 1996 and the place of arbitration shall be at Shillong, Meghalaya.

CHAPTER - X

Public Grievance Redressal System

- 36 **Grievance Redressal Officers** – (1) The Appointing Authority may designate any Group-“A” officer subordinate to him in the Stamps Department, to be the ‘Grievance Redressal Officer’ to enquire into the complaints received against the misconduct or irregularities of the Central Record Keeping Agency or its Authorised Collection Centres or Approved Intermediaries or any other official related with the implementation of the E-Court Fee Administration System.
- (2) The Grievance Redressal officers will be allocated district(s) or place(s) wise for entertaining the complaints.
- 37 **Complaint to Grievance Redressal officer** - Any person paying Court Fees through the E-Court Fee Administration System who has any grievances against the services of the Central Record Keeping Agency or any of its Authorised Collection Centre or Approved Intermediaries or any other official related with the implementation of these Rules, may make a complaint to the concerned Grievance Redressal officer.
- 38 **Opportunity of being heard** - The Grievance Redressal officer will conduct a fair enquiry with regard to such complaints, by giving the opportunity of being heard to the parties concerned and redress the grievance suitably and submit the enquiry report to the Appointing Authority.
- 39 **Appointing Authority to take appropriate action on enquiry reports** - On the basis of the enquiry report, the Appointing Authority shall take appropriate action under these Rules against the Central Record Keeping Agency or Authorized Collection Centre or Approved Intermediary or may make suitable recommendation to the employer of the concerned official for taking appropriate actions.

Chapter XI

Management Information System (MIS) or Decision Support System (DSS)

- 40 **Central Record Keeping Agency to furnish reports to the Department** - The Central Record Keeping Agency shall be responsible to furnish the following information reports to the Superintendent of Stamps and the Registrar General of the High Court or any such officer as they may nominate in this behalf:-
- (i) **Audit reports:** Tracking of all system-based actions performed by users of branches or offices of the Central Record Keeping Agency, Authorised Collection Centres or Approved Intermediaries, pertaining to any specified day or period.
 - (ii) **Payment reports:** Total collection report of all branches or offices of the Central Record Keeping Agency, Authorised Collection Centres or Approved Intermediaries pertaining to any specified day or period.
 - (iii) **E-Court Fee Certificate reports:** For all the branches or offices of the Central Record Keeping Agency, Authorised Collection Centres or Approved Intermediaries pertaining to any specified day or period.

- (iv) **Disabled (locked) E-Court Fee Certificate reports:** Relating to all the Offices of the Registrar General of the High Court or any Designated Official of the High Court or Subordinate Court, Authorised Collection Centre, Approved Intermediary or such places or districts of the state where this system is in force pertaining to any specified day or period.
 - (v) **Remittance reports:** The state-wide daily, weekly, fortnightly and monthly or desired periodic details of the remittances made by the Central Record Keeping Agency into the Government account.
 - (vi) Report of cancelled E-Court Fee Certificates of any/all the districts for a period as specified by the Appointing Authority.
 - (vii) Any other report or information as may be required by the Appointing Authority and Registrar General of High Court from time to time.
- 41 **Treasury to verify daily remittances-** The Treasury Officer shall verify from the account scroll received from the branch of the bank carrying on the work of Government Business Branch, the details of the daily remittances of Court Fees made by the Central Record Keeping Agency into the Government Account referred to in Rule 19.
- 42 **Delegation of Powers- Appointing Authority may delegate all or any of its powers-** The Appointing Authority by making an order in writing may delegate any of its powers and/ or functions to the Group 'A' officer (s) of the Government with the prior approval of the Government.
- 43 **Power to amend the rules-** The State Government may from time to time amend these rules by following by notification in the Official Gazette
- 44 **Saving-** In case of any conflict between these rules and the Meghalaya Court Fees E-payment Rules, 2020, these rules shall prevail.
- 45 **Implementation-** The facility of payment of E-Court Fee through the E-Court Fee Administration System shall come into effect in the High Court and the subordinate Courts from such dates as mutually agreed between the Appointing Authority, Central Record Keeping Agency and the High Court and upon such date being notified by the Registrar General of the High Court;

Provided that the Government may separately notify the date of implementation of the E-Court Fee Administration System for the purpose of affixing with documents not required for registration and not related to the High Court and the Subordinate Courts.

Appendix

Forms under these Rules-

1. Form-1 Agreement with Central Record Keeping Agency –[see Rule 6(1),(3), 8(5) & 34].
2. Form-2-Indemnity Bond by Central Record Keeping Agency [see Rule 6(4), 8(5)].
3. Form 3 Register regarding daily Court Fee collected and remitted to Government: to be maintained by the Central Record Keeping Agency[see Rule 19(3)]
4. Form 4 Application for E- Court Fee (see Rule 20 & 22)
5. Form 5 Daily account of E-Court Fee certificates [See clause (vi) of Rule 22]
6. Form-6- Application for Cancellation and Refund of E-Court Fee Certificate. [See Rule 27].
7. Form-7- Application for E-Court Fee Certificate for purposes other than Articles listed in schedule I&II of the Court Fees Act, 1870. [see Rule 20&22].

Annexures -

Annexure -1-Schedule of audit and inspections- (see rule 29 & 30).

Annexure A Service Level Agreement [see Rule 6(2)]

Annexure A1” E-Court Fee certificate" [see Rule 22(1) (iv)].

S. A. SYNREM,

Commissioner & Secretary to Government of Meghalaya,
Excise, Registration, Taxation and Stamp Department.

Annexure 1**(See rule 29 & 30)**

**SCHEDULE OF INSPECTIONS AND AUDIT
OF THE CENTRAL RECORD KEEPING AGENCY,
AUTHORISED COLLECTIONCENTRES
AND APPROVED INTERMEDIARIES**

Sl. No.	Name of the Authority or Agency	Jurisdiction	Frequency of inspection	Points of inspection	Whom to submit the report
1.	Excise, Registration, Taxation & Stamps Department	For a part or whole of the State	Once in two years	Shall Verify the collections made by the Central Record Keeping Agency or Authorised Collection Centres and the E-Court Fee Certificate issued	Government
2.	Any technical cum audit agency appointed or designated by the Department or Registrar General of High Court	For a part or whole of the State	Bi-annually	Shall Verify the collections of Court Fee (from E-Court Fee Certificates) of the Authorised Collection Centres/Approved Intermediaries with the remittance figures of the Central Record Keeping Agency	Superintendent of Stamps
3.	Comptroller and Auditor General, Meghalaya	Whole of the State	Annually	Shall verify: i. The overall collections made by the Central Record Keeping Agency or The Authorised Collection Centres/Approved Intermediaries and verify the same with the remittances made by Central Record Keeping Agency to the Government Account: ii. The Technical Working and fairness of accounting of the E-Court Fee system.	Superintendent of Stamps

Form-1

[See sub-rule (1) & (3) of Rule 6 and sub-rule (5) of Rule 8 and Rule 34]

AGREEMENT

THIS AGREEMENT is entered on this day of 20.....

BETWEEN

The Superintendent of Stamps, Government of Meghalaya having his office at Shillong (herein after referred to as the "SS", which expression shall include his successors in office), of the One Part.

AND

(. **name of the Central Record Keeping Agency.....**) (herein after called "CRA", having their Registered office at..... and branch office at..... through Shri..... which expression shall include its successors and assigns, representatives) of the Other Part.

"The Appointing Authority and "CRA" are together referred to as "the Parties" and either of them as "the Party".

WHEREAS, the Government of India, had vide letter F No. 16/1/2004-Cy.I. dated 28.12.2005, from Ministry of Finance, Department of Economic Affairs (C&C) Division, recommended Stock Holding Corporation of India Limited (Stock Holding) to act as Central Record Keeping Agency (CRA) for the Computerized Court Fee administration system (C_SDAS): and to devise a mechanism of electronic method of collection of Court Fee, and in accordance with provisions of clause (a) of Rule 4 of the Meghalaya E-Court Fee Rules, 2021.

AND WHEREAS the Government of India Ministry of Finance, Department of Economic affairs in the said letter has also authorized **the CRA** to undertake various services in States against a payment not exceeding 0.65% as commission or discount of the value of Court Fee collected through E-Court Fee mechanism:

AND WHEREAS pursuant to the said notification, (**.....name of the Company**) has approached the Government for implementing the E-Court Fee Administration System in the State.

AND WHEREAS the State has approved and authorised (**.....name of the CRA Company**) to be their CRA vide Government Order datedfor the proposed E-CFAS in the State on the terms and conditions specified in this Agreement.

AND WHEREAS (**.....name of the CRA Company or**) will develop a system for the payment of Court Fee by the client or ultimate user, with prior approval of the Appointing Authority, through, hereinafter called Authorised Collection Centres (ACCs) or Approved Intermediaries (AIs);

NOW IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:**1. Appointment of (..... name of the Company.....) as CRA :-**

- 1.1 The Appointing Authority hereby appoints (.....name of the Company..... as its exclusive authorized CRA to undertake the following activities:
- (i) Creating need based infrastructure, hardware and software and connectivity for facilitating its operation on the E-Court Fee project, in the entire State.
 - (ii) To facilitate selection of Authorised Collection Centres and Approved Intermediaries for the E-Court Fee System and collection of Court Fee.
 - (iii) To act as a Co-ordinator between the office of the Superintendent of Stamps, the Registrar **General** of the High Court or any Designated Official of the High Court or Subordinate Court, Authorised Collection Centres and Approved Intermediaries.
 - (iv) Collection of Court Fee and generation of E-Court Fee Certificates through the computer systems.
 - (v) Effecting remittances of the collected amount of Court Fee to the State and reconciliation of accounts.
- 1.2 The Parties may by mutual consent modify or withdraw any of the scope of appointment or effect any changes therein depending upon the public policy of the State and exigencies of business.

2. TERRITORY

The territory covered under this Agreement will be the entire State of Meghalaya.

3. Appointment of Authorised Collection Centres (referred to as “ACCs”) and Approved Intermediaries (AIs): (..... Name of the Company appointed as CRA.....) shall appoint Authorised Collection Centres and Approved Intermediaries on such terms as decided by (..... name of the Company appointed as CRA.....) with prior approval of the Appointing Authority.

- 3.1 The ACCs could preferably be a scheduled bank, financial institution, post office, Insurance Regulatory Development Authority (IRDA), recognised insurance company, **Stamp vendor** or any institution as approved by the Appointing Authority.
- 3.2 All the offices of (.....name of the Company appointed as CRA.....) in the State on need basis will also do the collection of Court Fee under intimation to the Appointing Authority.
- 3.3 All such Authorised Collection Centres and Approved Intermediaries shall be equipped with the required computerization, laser printers, internet connectivity and other regular Infrastructure to implement the E-Court Fee system. The cost of providing such equipment will be borne by the concerned Authorised Collection Centres or Approved Intermediaries.
- 3.4 All such Authorised Collection Centres and Approved Intermediaries will access the main server through internet by using an Identification number and a confidential password. This Unique Identification Number and Password will be allotted by (.....name of the Company appointed as CRA.....) This password shall be kept confidential and the concerned Authorised Collection Centres or Approved Intermediaries will be required to change the same immediately after its allotment to maintain the confidentiality.

3.5 The Authorised Collection Centres and Approved Intermediaries will enter the requisite information and details in the system and download the E-Court Fee Certificate with the Distinguishing serial number which will be attached to the document. The details of the E-Court Fee Certificate will be available on the E-Court Fee Server (e-CFS).

3.6 In providing the services under this Agreement, the Appointing Authority in consultation with (.....**name of the Company appointed as CRA**.....) may make rules or issue guidelines regarding the appointment of the Authorised Collection Centres or Approved Intermediaries and other terms and conditions

4. FEES OR COMMISSION

4.1 For the above services to be provided by (.....**name of the Company appointed as CRA**.....) the (.....**name of the Company appointed as CRA**.....) shall be entitled from the State a commission/discount not exceeding 0.65 % and applicable taxes, of the Court Fee collected through E-Court Fee mechanism. (.....**name of the Company appointed as CRA**.....) will deduct this commission and applicable taxes towards their fees from the Court Fee collection prior to remitting the balance amount into the State Government Account. The Commission so deducted shall be exclusive of the Compulsory taxes or duties payable by the CRA to the Central or State Government.

5. MODE OF REMITTANCE TO STATE GOVERNMENT

5.1 The proposed E-Court Fee system will allow both collection and transfer of Court Fee paid to the State Government.

5.2 The aforesaid remittances shall be effected only to the designated account “0030 - Stamps and Registration fees - 01 - Stamps Judicial - 102 - Sales of Stamps (01) Judicial Stamps” of the Government through Real Time Gross Settlement (RTGS), Electronic Clearing System (ECS), Treasury Challan, bank transfer, Government Receipt and Accounting System (GRAS) or such other method as may be decided by the Parties from time to time.

5.3 (.....**name of the Company appointed as CRA**.....) shall be responsible for payment to the Government, the amounts which are collected towards the download of E-Court Fee Certificate through the Authorised Collection Centres or Approved Intermediaries. Such payment shall be made to the designated account “0030 - Stamps and Registration fees - 01 - Stamps Judicial - 102 - Sales of Stamps (01) Judicial Stamps” of the Government in accordance with Rule 19 of Meghalaya E-Court Fees Rules, 2021.

5.4 The CRA undertakes that in case it fails to remit the amount of Court Fee collected within the period as stipulated in the above said rules, the CRA shall be liable to pay, along with the collected amount of Court Fee, an interest amount at 18% per annum on the amount of Court Fee so collected for the period of delay in day(s). Any part of a day will be treated as one day for the purpose of such calculation as per **Rule 34** of the said rules.

6. PROPOSED SYSTEM

6.1 The detailed structure of the proposed system including flow diagrams, salient features, schematic view of connectivity envisaged, systems and procedures to be followed by end users

and format of proof of payment or E-Court Fee Certificate to be issued to client or ultimate users is given in the "Service Level Agreement" (SLA) which is attached as Annexure 'A' to this Agreement.

The Appointing Authority will make available necessary Hardware and infrastructure at the office of the Superintendent of Stamps, offices of the Registrar **General** of the High Court or any Designated Official of the High Court or Subordinate Court (or such other designated offices) which would include a printer, PC, bar/QR code scanner, Internet connection, in consultation with the CRA (.....**name of the Company appointed as CRA.....**)

6.2 The CRA shall design and develop such software so that the following minimum details are shown on the E-Court Fee Certificate –

- a. Distinguished serial number or UIN (unique identification number) of the E-Court Fee Certificate so that it is not repeated on any other E-Court Fee certificate during the lifetime of the E-Court Fee system.
- b. Date and time of issue of the E-Court Fee Certificate.
- c. Amount of Court Fee paid through the E-Court Fee Certificate, in words and figures.
- d. Name and address of the **litigant for amount greater than Rs. 500/- (Rupees Five hundred) only for E-Court Fee Certificate issued by ACC offline and name and address of the litigant (or purchaser/Authorised person for purchases made through FORM-7) for all denominations of E-Court Fee Certificate issued online.**
- e. Code and location of the 'E-Court Fee Certificate issuing branch' of the Central Record Keeping Agency or Authorized Collection Centre or Approved Intermediary.
- f. Any other distinguishing mark of the E-Court Fee Certificate e.g. bar code/QR code or security code.
- g. Space for signature and seal of the 'E-Court Fee Certificate issuing officer or authorized Signatory' of the Central Record Keeping Agency or Authorized Collection Centre or Approved Intermediary or Bar code or QR code containing such details.
- h. Availability of facility to the Superintendent of Stamps, Registrar General of High Court or Designated Official of High Court or Subordinate Court, ACC or AI to disable or lock the E-Court Fee Certificate, to prevent the repeated use of any E-Court Fee Certificate.
- i. Facility to cancel the 'spoiled or unused or not required for use' E-Court Fee Certificate.
- j. Providing for passwords and codes to the designated or authorised officials of the Department, **the Registrar General of the High Court or any or all such officers as he may nominate, to search and view any E-Court Fee Certificate and to access Management Information System (MIS) and Decision Support System (DSS) reports.**
- k. Availability of details of the issued E-Court Fee Certificate on the E-Court Fee Server maintained by the Central Record Keeping Agency.
- l. Availability of different transaction details and reports relating to E-Court Fee which will be accessible to the officers designated or authorized by the Appointing Authority.

7. ACCESS AND DISABLING (LOCKING) OF E-COURT FEE CERTIFICATE

- 7.1 The Office of Superintendent of Stamps, offices of the Registrar **General** of the High Court or any Designated Official of the High Court or Subordinate Court and such other official as the Appointing Authority may authorise in this behalf, will have access to the **Central Server** through internet.
- 7.2 The authorized officers (as mentioned in 7.1 above) of the State will have access to the Electronic Court Fee Administration System (E-CFAS) through internet using user id & password issued by (.....**name of the Company appointed as CRA**.....). After login, such authorized officers will be able to view the E-Court Fee Certificates by accessing the E-CFAS.
- 7.3 The offices of the Registrar **General** of High Court or Designated Official of High Court or Subordinate Court or such other officers authorised in this behalf, shall ensure that the prescribed amount of Court Fee on the documents has been paid for the transaction. After verification, the authorised officer by logging into the E-CFAS through user id & password shall disable (lock) the E-Court Fee Certificate on the documents presented for registration;
Provided that for E-Court Fee Certificate not intended to be submitted in any High Court or Subordinate Court, the concerned official of the CRA shall ensure that such E-Court Fee Certificate has been auto-locked.
- 7.4 The Central Record Keeping Agency shall develop an auto- locking mechanism for E-Court Fee Certificates issued through application in FORM-7.

8. HARDWARE REQUIREMENTS -

- 8.1 The use of E-CFAS will warrant the use of the required configuration of computer system with requisite operating system and laser printers specified by (.....**name of the Company appointed as CRA**.....) with proper internet connectivity by the user. The configuration of the computer systems, internet connectivity, laser printers, bar/QR code readers or any other Hardware infrastructure should meet the specifications of (.....**name of the Company appointed as CRA**.....) and which may be subject to change with prior intimation to the Appointing Authority.

9. GENERAL OBLIGATIONS

- 9.1 All payments for Court Fees made and received from all clients, Authorised Collection Centres or Approved Intermediaries shall be recorded on a day -to- day basis by (.....**name of the Company appointed as CRA**.....) and in turn reported to the State on the following in such form as maybe determined in mutual consultation between the Superintendent of Stamps & (.....**name of the Company appointed as CRA**.....):-
- (i) **Audit reports:** tracking of all system based actions performed by users of branches or offices of the CRA and the ACCs or AIs pertaining to any specified day or period.
 - (ii) **Payment reports:** Total collection of Court Fee report of every branch or office of the CRA and the ACC or AI pertaining to any specified day or period.

- (iii) **Disabled E-Court Fee Certificate report:** relating to all or any of the Registrar **General** of High Court or Designated Official of High Court or Subordinate Court of such districts, Authorised Collection Centres or Approved Intermediaries where this system is in force, pertaining to any specified day or period.
- (iv) **Remittance reports:** Daily, weekly, fortnightly and monthly or desired period details of the remittances made by the CRA into the Government account.

9.2.1 The Superintendent of Stamps shall set up and provide information on its website that will enable the Authorised Collection Centres or Approved Intermediaries or the client who is liable to pay Court Fee to ascertain the exact amount of Court Fee that is payable on a particular document. Further, the Registrar **General** of High Court or Designated Official of High Court or Subordinate Court as applicable and the purchaser **in case of E-Court Fee Certificate required for submission with Tender documents etc.**, shall ensure that the requisite amount of Court Fee is paid for the documents on the basis of their details. Such information will be updated by the Government or the Superintendent of Stamps based on the Schedules appended to the Court Fees (as applicable to Meghalaya) Act, 1870, current rules and regulations and amendments carried out to them from time to time and a link will be provided from the website of Superintendent of Stamps to E-CFAS. Such information provided on E-CFAS will be for the guidance of clients or users and (.....name of the Company appointed as CRA.....) will not be responsible for correctness of the information.

9.3 The Superintendent of Stamps shall be able to access the data through internet by using user Id and password.

9.4 (.....name of the Company appointed as CRA.....) shall enable the Superintendent of Stamps to extract the MIS and DSS reports as provided in para 9.1 above from the data captured on the E-CFAS via internet.

The requirement of the MIS may be further crystallized as mutually agreed. The Superintendent of Stamps will provide any changes to the master lists to (.....name of the Company appointed as CRA.....) for updating the information in E-Court Fee Administration system from time to time.

9.5 It will be the responsibility of the offices of the Registrar **General** of High Court or Designated Official of High Court or Subordinate Court and such other officers as the Superintendent of Stamps may decide, to verify the authenticity of the E-Court Fee Certificate and adequacy of the Court Fee paid.

10. TRAINING OF THE PERSONNEL

10.1 (.....name of the Company appointed as CRA.....) shall provide suitable and adequate training, to such of the Government personnel as the Superintendent of Stamps and or the Registrar **General** of the High Court or the designated Official of subordinate Court may nominate, on a train-the-trainer mode, on the operation and the use of the system.

10.2 The Training provided at the premises of the State by CRA shall be free of cost for the candidates nominated by the Superintendent of Stamps and the Registrar **General** of the High Court or the designated Official of subordinate Court **for a frequency not exceeding 3 (three)**

times annually and for up to 10 (ten) numbers of officials or such other mutually agreed greater number of officials.

- 10.3 **(.....name of the Company appointed as CRA.....)** may assume that the trainees have the required skills, knowledge and pre-requisites to follow the training on the Application.
- 10.4 The training for the system shall be conducted at the place to be decided by the Superintendent of Stamps or the Registrar **General** of the High Court. **CRA** shall provide one trainer to conduct the training over a maximum period of 1 (one) week. For the avoidance of doubt, the Superintendent of Stamps or the Registrar **General** of the High Court will be responsible for arranging all the necessary facilities and premises required for conducting the training.
- 10.5 At periodic intervals to be mutually decided by **(.....name of the Company appointed as CRA.....)** and the Superintendent of Stamps, **(.....name of the Company appointed as CRA.....)** shall provide additional training free of cost on any up-gradation, modification to the system. **(.....name of the Company appointed as CRA.....)** and may also provide refresher courses to the various participants if required by the Superintendent of Stamps.
- 10.6 Any training to the Authorised Collection centre or Approved Intermediary shall be charged separately to the Authorised Collection centre or Approved Intermediary by **(.....name of the Company appointed as CRA.....)**.

11 TERM

- 11.1 This Agreement shall be initially for a period of 5 years from the effective date referred below and thereafter it may be renewed in mutual consultation between the parties. The Appointing Authority will be at liberty to take over the operation of the E-Court Fee Administration system after the initial period of 5 years, if they so choose, and or may retain the services of **(.....name of the Company appointed as CRA.....)** for a further period based on mutual agreement.
- 11.2 On termination of Operation of E-Court Fee Administration System by the Appointing Authority, **(.....name of the Company appointed as CRA.....)** will be required to transfer the data generated during the period of appointment to the Government. After the termination of the appointment of the CRA, the latter shall not in any way use or cause to be used the data generated during the period of appointment for its business or any purpose whatsoever.
- 11.3 **(.....name of the Company appointed as CRA.....)** will not provide, transfer or share any Hardware, Software or any other technical details with respect to the E-Court Fee Administration System undertaken by it in the State to any individual or entity, except the duly appointed ACC or AI, without written permission or authority of the Superintendent of Stamps.

12. EFFECTIVE DATE

This agreement shall be effective from the date of its signing by the parties or such other date as fixed by the Superintendent of Stamps, hereinafter called the 'effective date'. The period of five years shall be calculated from the effective date.

13. EXCLUSIVITY

The appointment of (**.....name of the Company appointed as CRA.....**) as the CRA for the State shall be exclusive and Superintendent of Stamps will not appoint any other CRA for E-Court Fee during the period of validity of this agreement.

14. CHANGE OF CRA

After the expiry of the Initial or renewed term of appointment, the Appointing Authority shall be at liberty to avail the services or facilities of E-Court Fee for part or whole of the State from any agency of its choice and the (**.....name of the Company appointed as CRA.....**) shall have no objection to it.

15. THE GOVERNMENT'S RESONSIBILITY

The Superintendent of Stamps shall be responsible for providing all information, decision making and approvals under its control and resources required at the offices of Registrar **General** of High Court or Designated Official of High Court or Subordinate Court or at any other offices authorised in this behalf, which may be reasonably required from time to time for the performance of this agreement on a timely basis. The Superintendent of Stamps acknowledges that any delay to provide such information, decision-making and approvals may result in delay in implementing this agreement

16. ARBITRATION

16.1 All disputes and differences between the parties under this agreement shall as far as possible, be settled amicably and failing which all such disputes shall be referred to a mutually agreed Arbitrator under the provisions of the Indian Arbitration and Conciliation Act, 1996 and the place of arbitration shall be at Shillong, Meghalaya.

IN WITNESS WHEREOF the Parties have executed this Agreement on the day and year first herein above written.

SIGNED, SEALED AND DELIVERED

By the Superintendent of Stamps (.....)

----- :

In the presence of :

(i) Signature

Name :

Official designation :

Address :

(ii) Signature

Name :

Official designation :

Address :

SIGNED, SEALED AND DELIVERED

by the within named (.....name of the Company appointed as CRA.....) by

Shri

its authorised official

In the presence of

(i) Signature

Name :

Official designation :

Address :

(ii) Signature

Name :

Official designation :

Address :

Under Secretary to Government of Meghalaya
Excise, Registration, Taxation & Stamps Department

Annexure -A**[See sub-rule (2) of Rule 6]****SERVICE LEVEL AGREEMENT**

THIS AGREEMENT IS made this..... day of..... at Shillong between the Superintendent of Stamps in Meghalaya, for and on behalf of the Government of Meghalaya (hereinafter referred to as the Appointing Authority) and the..... (herein please enter the name of the Central Record Keeping Agency referred to as the “CRA”) a Company incorporated under the Companies Act, 1956, with its registered office at

WHEREAS the State of Meghalaya is desirous of implementing the Electronic Court Fee Administration system referred to as the “E-CFAS” for the Stamps and Registration Department of the State of Meghalaya.

AND WHEREAS the E-CFAS in particular will allow issuance of E-Court Fee Certificates electronically.

AND WHEREAS the CRA agreed to develop and implement the E-CFA System for the State of Meghalaya and also to act as the Central Record Keeping Agency (CRA) for the E-CFA System.

AND WHEREAS the parties have signed an Agreement dated for the purpose of rendering the services of E-Court Fee and one of the conditions of the said agreement is that a Service Level Agreement will be executed between the parties.

NOW IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES:**1. Duration of the Agreement**

This agreement shall be co-terminus with the main agreement dated..... between the parties.

2. Services to be provided by CRA

The Appointing Authority hereby appoints herein please enter the name and address of the company selected as the CRA and CRA accepts the appointment subject to the terms of this Agreement and the agreement dated..... to provide the following services:

- a) Operation of the E-CFA System:
- b) Customization of the E-CFA system, and
- c) CRA Services.

3. Operational Modalities

The procedure to be followed by the CRA is contained in the Agreement in Form-1.

The format of the proof of payment shall be in the form of E-Court Fee Certificate which is given as Annexure A-1.

- (i) The Offices of the Superintendent of Stamps, Registrar **General** of High Court or Designated Official of High Court or Subordinate Court or such other offices as may be authorised by the Appointing Authority, will have access to the Central Server of Central Record Keeping Agency (CRA) through Internet. Such internet connectivity will be set up by the said Offices.

- (ii) The Authorised Collection Centre (ACC) or Approved Intermediary (AI) will access Central Record Keeping Agency (CRA) servers through Internet by using a identification number (UIN) and a confidential password. The requisite details of the information in the system will be entered and the E-Court Fee Certificate will be downloaded with a Unique Identification Number (UIN) on plain or coloured paper as prescribed.
- (iii) The Superintendent of Stamps, Registrar **General** of High Court or Designated Official of High Court or Subordinate Court or any officer authorised by the Appointing Authority will have access to CRA site through Internet using password and UIN which will be provided by CRA. Upon entering these details, the said authorised Officials will be able to view the details of the E-Court Fee Certificates.
- (iv) It will be the responsibility of the Registrar **General** of High Court or Designated Official of High Court, Subordinate Court or any official authorised in this behalf to ensure that the Court Fee has been appropriately paid on presentation of the document for registration. The Registrar **General** of High Court or Designated Official of High Court or Subordinate Court or any official authorised in this behalf will lock the E-Court Fee Certificate after verification. Such locking will ensure that the payment of Court Fee for the transaction is not abused.

Provided that for the E-Court Fee Certificate purchased through FORM-7, such certificate shall be auto-locked by the system.

- (v) All the Clients, ACC and AI desirous of remitting the Court Fee will access the main server through Internet. The Registrar **General** of High Court or Designated Official of High Court or Subordinate Court who is responsible for Registration of Articles listed in schedule I and II of the Court Fees Act and is responsible for the collection of the Court Fee will also link to the main server through Internet.
- (vi) **The Client may login to the portal of the Central Record Keeping Agency and after registering in the system, enter the requisite information or may approach any Authorised Collection Centre or Approved Intermediary, which in turn will enter the requisite information in the system.** The system will generate a UIN along with the transaction details, which will be printed as an E-Court Fee Certificate on paper as prescribed.
- (vii) The Authorised Collection Centre or Approved Intermediary will be registered with CRA and the procedure for such registration will vary depending upon the same being Financial Institutions, Insurance Companies, Banks, Post Office, Stamp Vendor etc., as approved by the Superintendent of Stamps.

4. Authorized Collection Centres (ACC) or Approved Intermediaries (AI)

- (i) The CRA office, Financial Institutions, Insurance Companies, Banks & Post Offices etc. as approved by the Superintendent of Stamps, shall be the Authorized Collection Centres or Approved Intermediaries.
- (ii) The aforementioned ACC or AI will by and large take care of E-Court Fee payment of people living in cities, towns and villages having Internet facility. However, people

residing in areas not having Internet facility also require E-Court Fee Certificate for their transactions. A Computer-savvy Travelling vendor (TV) who will carry a lap top or palmtop to the village and download the E-Court Fee Certificate from the system, may be appointed as TV in a phased manner with the approval of the Superintendent of Stamps.

5. Registration of Authorised Collection Centre or Approved Intermediary and its operations

- a) The Insurance Companies, banks, financial Institutions, stamp vendors etc. as approved by the Superintendent of Stamps intending to become an ACC or AI will be required to submit a request in an **application form as stipulated by the CRA** along with the proof of identity and proof of address for 'Service Administrators' (person responsible for entering data on E-Court Fee server) along with stipulated application fee. The format of the application form as stipulated by the CRA, can be downloaded from the internet. The duly filled in application form and Agreement along with the fee for registration and deposit as determined by CRA along with advance amount (imprest amount) towards the download of stamps based on the business expected, should be submitted to CRA. The ACC or AI will have an option of adding up further amounts towards imprest, depending upon the usage every day or alternatively give a power of attorney to CRA, to add up the further amount by giving necessary instructions to their Banker. At no point of time, the ACCs or AIs will be allowed to print E-Court Fee Certificates in excess of the amount available in their credit in the books of CRA. CRA will collect such amount including deposits from the ACC or AI for the use of its System.
- b) The Travelling vendor intending to be appointed should submit a request in an **application form as stipulated by the CRA**. The duly filled in application form along with the monies towards registration and Agreement and deposit as determined by CRA along with advance amount (imprest amount) towards the download of stamps as may be determined based on the business expected, should be submitted to CRA. The TV will have an option of adding up further amounts towards imprest depending upon the usage everyday or alternatively give a power of attorney to CRA to add-up further amount by giving necessary instructions to the banker. At no point of time, the TV will be allowed to print E-Court Fee Certificates in excess of the amount available in their credit in the books of CRA, CRA will collect such monies including deposits from the TV or other Marketing Agents for the use of its system.
- c) The ACC or AI must provide to CRA all information that may be desired by CRA from time to time including but not limited to information on every client being granted access to and use of the services; and
- d) **It will be the responsibility of the Superintendent of Stamps to inform the public by way of a notification from time to time the appointment or termination of the Authorized Collection Centres or Approved Intermediaries.**
- e) Upon completion of the above, CRA will issue password and user identification numbers for use of its services. The proper use of the password will be the sole responsibility of the user and any loss caused to the Government will be at the cost of CRA where the loss, wherever applicable, is caused by the CRA.

- f) CRA reserves the right in consultation with Superintendent of Stamps to accept or reject any application from an ACC or AI at its sole discretion.
- g) All ACCs or AIs will be periodically audited jointly by the Government and CRA.
- h) In the case of the termination of the appointment of ACCs or AIs, either party may give a notice of one month of its intention to terminate the arrangement.

6. Link to E-Court Fee Server (E-CFS)

- a) All ACCs or AIs will access the E-CFS through Internet only. The access will differ depending upon the group to which the ACC or AI belongs. The Insurance companies, banks and financial institutions will access the site through password and user identification number issued by CRA. CRA will issue as many passwords and user Identification numbers as requested by the ACC or AI. These ACCs or AIs should access E-CFS site using the password and user identification number provided by CRA. Immediately upon accessing the site for the first time, the user should change the password to maintain confidentiality.
- b) In respect of Approved Intermediaries falling under the category of Travelling Vendors, or other marketing agents, recording of data will be off-line. Such TVs or marketing agents will have to access the E-CFS through Internet every evening and download the information, upon which the E-Court Fee Certificate would be generated. To facilitate the entry of data on off-line mode, CRA will install software in the respective laptops or palmtops of the TV or other marketing agents at their cost.

7. The Superintendent of Stamps, Registrar General of High Court or Designated Official of High Court or Subordinate Court to have link to E-Court Fee Server:

- a) Since the registration of documents is done at the offices of Registrar **General** of High Court or Designated Official of High Court or Subordinate Court, it is imperative that the Registrar **General** of High Court or Designated Official of High Court or Subordinate Court should have access to the system, to ensure that the Court Fee to be paid for the transaction has indeed been paid and to lock the E-Court Fee Certificate. Similarly, **the system** should lock the E-Court Fee Certificate issued for the purpose of submission with tender documents etc. Such locking is necessary to ensure that the Court Fee paid is not misused. The Unique Identification number issued by the E-CFS for the Court Fee paid can be linked to the Computerised Court Fee Administration System (E-CFAS).
- b) To facilitate the viewing and locking of E-Court Fee Certificate, pertaining to registered Petition and suit, office of Superintendent of Stamps, Registrar **General** of High Court or Designated Official of High Court or Subordinate Court will have a link to the E-CFS. The Superintendent of Stamps, Registrar **General** of High Court or Designated Official of High Court or Subordinate Court will have access to the E-Court Fee site through internet using password and user identification number issued by CRA. Upon gaining the access to the E-CFS, the Superintendent of Stamps, Registrar **General** of High Court or Designated Official of High Court or Subordinate Court will have to enter the year, month and date of E-Court Fee payment as given in the E-Court Fee Certificate, select the unique identification number given in the E-Court Fee Certificate **or alternatively scan the Bar Code or QR Code for the purpose of verification**. Upon entering

these details, the Superintendent of Stamps, Registrar **General** of High Court or Designated Official of High Court or Subordinate Court will be able to view the E-Court Fee Certificate. The Registrar **General** of High Court or Designated Official of High Court or Subordinate Court will be issued user Id and password with which they should update the system and lock the duly paid E-Court Fee Certificate.

8. Access by Counter Parties

- a) The purchasers or the beneficiaries may wish to ensure that the counter party has indeed paid the Court Fee for the transaction and the E-Court Fee Certificate presented to them is genuine. **There should be no question of validity of time for the E-Court Fee Certificate.** Nevertheless, counter parties can check the authenticity of the E-Court Fee Certificate by entering the year, month, date and Unique Identification No. of the E-Court Fee Certificate:
- b) Upon entering these details, the system will display the E-Court Fee Certificate for viewing only. The counter party will be able to check the authenticity of the Certificate. Such enquiry module will provide information on the document also after the Registrar **General** of High Court or Designated Official of High Court or Subordinate Court has locked the E-Court Fee duly paid. The CRA should ensure that this service is available in all the offices of the Registrar **General** of High Court or Designated Official of High Court or Subordinate Court, ACC, AI & website.
- c) The E-Court Fee certificate should indicate the code No. of ACC or AI office in which it is located.

9. Stamping of different types of Articles or documents

- a) The proposed system envisages Stamping with E-Court Fee Certificate the documents representing Petitions or Suits, on real time basis via the Internet. The transactions can be broadly divided into:
 - (i) Documents representing Articles listed under Schedule I and II required to be registered with the Registrar **General** of the High Court or any Designated Officials of the High Court or Subordinate Court; and
 - (ii) Documents, which do not require registration.
- b) In the case of documents which require registration with the Registrar **General** of the High Court or any Designated Officials of the High Court or Subordinate Court or documents that are not required for registration, the Court Fee can be paid by entering the transaction details in the system. The system will check the balance available in the Account of concerned ACC or AI and subject to the availability of requisite funds in the Account will authorize the transaction and issue an E-Court Fee Certificate immediately with a unique identification number, Year, month and date, and the same can be printed at a convenient time.
- c) In the case of documents that do not require registration, the system shall lock the E-Court Fee Certificate.

10. MIS for Government

The Superintendent of Stamps in charge of Court Fee and the Government will be able to get details of Court Fee collected in the State at any point of time. Besides, the Superintendent of Stamps will ensure that the amount collected by CRA towards the download of stamps is transferred to the State Government Account after due reconciliation. For this purpose, it is

necessary that the Superintendent of Stamps should have a link to E-CFS through Internet using the password and identification numbers. Since the Superintendent of Stamps is responsible for the duty collected across the state, its data requirement will be enormous and all encompassing. To enable the Superintendent of Stamps to download the data in the format in which it is required, the CRA will prepare standard formats. **The Superintendent of Stamps will specify the requirement of any additional reports. The CRA will provide any additional reports in future free of cost, unless in exceptional cases, charges will be as mutually agreed.** Considering the fact that the Superintendent of Stamps will be viewing the revenue of the entire State, the same will be done using login credentials to access the server for the purpose of getting MIS.

11. General

- a) CRA shall ensure that the following service levels are achieved in relation to the E-CFAS System:
 - i) The E-CFAS system shall be operational and accessible to clients during the following hours on the following days, (hereinafter referred as the "Operational Hours"):
Monday to Saturday 9.00 a.m. to 5.00 pm.
 - ii) The availability of each and every information service during the Operational Hours shall individually be not less than 90% each calendar month.
 - iii) CRA shall not be liable for any failure or reduction in the aforesaid performance level or any other consequences caused by or due to the failure or breakdown of any third party facilities including Internet access providers, telecommunication lines, switches and networks, other than third party facilities provided by any sub-contractors appointed by CRA to perform any part of the service under this Agreement.
 - iv) **Before any ACC or AI first uses the E-CFAS System, CRA shall ensure that every such user enters into the User Network Services Agreement with CRA agreeing not to commence action or otherwise enforce any rights against the Government or Superintendent of Stamps in respect of any liability, in contract or tort or otherwise, for any acts, statements, errors or omissions made by the Superintendent of Stamps or its employees in good faith and in the ordinary course of duties of the employees of the Government, the CRA shall use reasonable endeavours to enforce the terms of such agreement against every user who enters into the same.**
 - v) **The Central Record Keeping Agency shall be responsible to indemnify the Government for any loss of revenue resulting from any act of omission, commission, irregularity or violation attributable to it or to any ACC or AI appointed by it to the extent of such loss including interest calculated @ one and a half percent per mensem and penalty not exceeding twice the loss of revenue to the Government;**
Provided that no proceedings under this clause shall be taken without affording the opportunity of being heard to the Central Record Keeping Agency.

b) Maintenance of Servers

CRA will shut down its Servers at least for about eight hours in a week on a holiday for the purpose of maintenance. During this time, the system will be down and there will be no access to

E-Court Fee facilities. Further, CRA will endeavour that the up-time of the system will be up to 90% excluding the time for shut down of its servers for the maintenance.

- c) CRA shall provide service to investigate and correct defects in the E-CFAS Software as reported by the Department including temporary correction and bypass of the defects until such time as standard corrections and or updates of the Software are available. The timing for correction or bypassing depends on the severity of the error as set out below:
- i) Severity 1: This is a defect or error, which results in the failure of a service as a whole. Such defects and errors shall be rectified within 1(one) working day of the problem being reported to CRA in writing.
- ii) Severity 2: This is the defect, which results in system functionality other than those which are covered under Severity 1, being impaired, and there are no existing alternatives for by passing the problem. Such defects and errors shall be rectified within 2 (two) working days of the problem being reported to CRA in writing.
- iii) Severity 3: All other errors and defects. Such defects and errors shall be rectified within 7 (seven) working days of the problem being reported to CRA in writing.
- iv) The time frames for rectification or correction set out in Clauses above shall not apply where the defects or programming errors have arisen in third party programmes or applications used by CRA to develop its application or used by CRA with or in its applications.
- v) Disaster Recovery:

CRA shall take reasonably sufficient measures to ensure that it is able to carry on, with disruption of not more than a continuous time of 24 hours, providing E-CFAS System under this agreement even in the event of the occurrence of a disaster which affects, or would affect providing of services if measures had not been taken.

d) Limitation of Liability

CRA shall not under any circumstances be held responsible for any error, defect, default, delayed or non-performance, loss of data, transmission failure or other problems in connection with its provision of E-CFA System for any claims, actions, losses, costs, expenses liabilities or adverse consequences arising there from, due to any cause or reason not perpetrated by or attributable to CRA or otherwise outside the control of CRA.

e) Concurrent Users

E-Court Fee system will have persons logging for the download of E-Court Fee Certificate and also for logging queries relating to Court Fee and the ultimate printing of the E-Court Fee Certificate. Keeping in mind the various issues relating to E-Court Fee and the number of persons that may log into the system throughout the day, CRA will endeavour to ensure that at a given point of time approximately 400 users could use its system. The use of system will include time for the persons logging to the system for queries with regard to E-Court Fee and for the time for data entry by a user till the time of actual printing of the E-Court Fee Certificate.

- f) CRA will require a stabilization period of 4-6 months from the time of the system running in full scale at each of the centres and during such time service standards will not be applicable.** The peak times during the day will be identified and on the basis of experience, the

concurrent users who would be using the system will be adjusted accordingly. CRA does not guarantee the availability of internet connectivity.

- g)** If any extra services are required, wherein CRA will be required to put in extra efforts, or the same is on the basis of any extra cost to CRA, the same will be recovered from the ACC, AI, Travelling Vendor or any other marketing agent or the general public directly **subject to prior approval of the Government.**
- h)** All other terms and conditions as mentioned in the agreement dated: between the Superintendent of Stamps and CRA shall be concurrent with this agreement.

IN WITNESS WHEREOF the parties have hereunto set their hands the day and year first above written.

For and on behalf of CRA (name of the company).

In the presence of:

Signed by

Superintendent of Stamps in Meghalaya.

(for and on behalf of the Government)

In the presence of :

1)

2)

Annexure - A-1**[See clause (iv) of Rule 22(1)]****INDIA JUDICIAL****Government of Test State****E-Court Fee**

e-Court Fee receipt will be printed in the following format with full details.

GOVERNMENT OF MEGHALAYA		
e-Court Fee		
DATE & TIME :	22-MAY-2020 12:51:38	
NAMES OF THE ACC/ REGISTERED USER :	XXXXXXXXXXXXXXXXXX	
LOCATION :	MEGHALAYA	
NAME OF LITIGANT :	XXXXXXXXXXXXXXXXXX	
e-COURT RECEIPT NO :	123456789	
e-COURT FEE AMOUNT :	₹ 5	
	(Rupees Five Only)	
Particulars	Amount (Rs.)	
Memo	₹ 0	
Stay Application	₹ 0	
Delay Condonation Application	₹ 0	
Affidavits	₹ 0	
Vakalatnama / Parcha	₹ 0	
Misc Applications	₹ 0	
Other Annexures / Tender / Document No. Date	₹ 5	
 MS02231E2055P666		
Statutory Alert : The authenticity of this e-Court fee receipt should be verified at www.shdilestamp.com . Any discrepancy in the details on this receipt and as available on the website renders it invalid. In case of any discrepancy please inform the Competent Authority. This receipt is valid only after verification & locking by the Court Official.		

The generated receipt requires to be scanned and uploaded during e-filing.

Form-2**[See sub-rule (4) of Rule 6 and sub-rule (5) of Rule 8]**

(To be executed by the CRA on Non-Judicial Stamp paper of Rs. 100/-)

Undertaking cum Indemnity Bond

This Indemnity Bond is made and executed at..... (place) on this day of (month)20..... by Shri S/o R/o _____ Authorised Signatory for and on behalf of (**..... name of the Company appointed by CRA**) **having its** registered office at (complete address of the CRA) hereinafter referred to as the Central Record Keeping Agency or CRA (which expression shall unless repugnant to the context or meaning thereof shall mean and include their representatives, assigns. heirs. etc.).

In favour of the Superintendent of Stamps in Meghalaya, hereinafter referred to as the Appointing Authority, (which expression shall unless repugnant to the context or meaning thereof shall mean and include the Government of Meghalaya and its duly authorised representative).

Whereas

1. the (.....Name of Company) has been appointed by the State to act as '**Central Record Keeping Agency**' and has thus been authorised by the Government for computerization of Court Fee Administration System in the State to issue E-Court Fee Certificates to denote the payment of judicial Court Fee under the Court Fees Act (Central Act No. VIII of 1870) as applicable to Meghalaya, to the public through its branches or offices and the Authorised Collection Centres (ACCs) or Approved Intermediaries (AIs) located in the State.
2. The CRA has agreed to fulfil all the conditions as required by the law, and also to undertake and keep indemnified the Government against all or any losses suffered by the Government due to any mishandling, misconduct, negligence or any irregularity of any kind whatsoever caused by the CRA or its ACCs or AIs.
3. The CRA has agreed to the compliance and observance of terms and conditions that are prescribed in The Meghalaya E-Court Fees Rules, 2021 (hereinafter called "the Rules") and other orders issued by the Government or the Department under these rules.
4. The CRA to fulfil the aforesaid requirement and in order to undertake and indemnify the Government, is executing this indemnity Bond as follows:-

NOW THEREFORE THIS DEED OF UNDERTAKING CUM INDEMNITY BOND**WITNESSETH AS FOLLOWS:-**

- a) The CRA hereby undertakes that the E-Court Fee centres (the branches or offices of the CRA and its duly appointed ACCs or AIs) shall be available for inspection at all reasonable times by any of the officials mentioned in **Rule 29** of the Rules or any officer authorised by the Superintendent of Stamps in this behalf without notice. The CRA also undertakes not to change or increase the ACCs or AIs without prior permission in writing of the Appointing Authority.
- b) The CRA undertakes to provide on demand to any inspecting officer, as mentioned in clause (a), any information in soft and or hard copy of any electronic or digital record related to the collection and remittance of Court Fee relating to any time period or any other related information under **Rule 40** of the Rules without unreasonable delay.
- c) The CRA undertakes to abide by all the terms and conditions as may be prescribed by the Appointing Authority from time to time as to the implementation of the rules.
- d) The Central Record Keeping Agency shall be responsible to remit the consolidated amount of Court Fee collected by its offices or branches and by its Authorised Collection Centres or Authorised Intermediary to Head of Account “0030 - Stamps and Registration fees - 01 - Stamps Judicial - 102 - Sales of Stamps (01) Judicial Stamps” or any other notified head of account of the State, in the manner prescribed hereunder.
- e) In case of Court Fee, collected by way of E-Court Fee Certificate, the Central Record Keeping Agency shall remit the consolidated amount of Court Fee (less, the prescribed discount or commission) to the prescribed head of account of the state, not later than the closing of the next working day, after the day of collection of the amount of Court Fee.
- f) The CRA undertakes that in case it fails to remit the amount of Court Fee within the period as stipulated in **Rule 19** of the rules, the CRA shall be liable to pay, along with the collected amount of Court Fee, an interest calculated at 18% per annum for the period of delay in day(s). Any part of a day will be treated as one day for the purpose of such calculation.
- g) The CRA agrees that in case it fails to comply with the provisions of these Rules or the terms and conditions of the Service Level Agreement, it, after being afforded the opportunity of being heard, may be **imposed a penalty equivalent to twice the amount of delayed remittance in addition to the interest payable.**

- h) The CRA shall be responsible to furnish the information reports, as provided in **Rule 40** of the Rules, to the Superintendent of Stamps and to any or all such other officers as he may direct.
- i) The CRA undertakes that any of its employees or the employees of its ACCs or AIs directly or indirectly will not misuse or cause to be misused the authorization to collect Court Fee for the State by issue of E-Court Fee Certificates.
- j) The CRA hereby undertakes to keep the Superintendent of Stamps always indemnified against all or any of the losses or any third party risk arising out of any mishandling, misconduct, negligence or any irregularity of any kind whatsoever caused by the CRA or its ACCs or AIs.

IN WITNESS WHEREOF the CRA has executed this **Undertaking cum Indemnity Bond** on the day and year first herein above written.

SIGNED, SEALED AND DELIVERED

By Shri

as Authorised Signatory for and on behalf of

(.....**name of the Company appointed as CRA**.....)

In the presence of :

k) Signature

Name :

Official designation:

Address

(ii) Signature

Name :

Official designation:

Address

Form-3
(See sub-rule (3) of Rule 19)
Daily account of remittances

CRA		CRA Id.	
Date	MM/DD/YY		

Total value of E-Court Fee Certificates issued

₹									
---	--	--	--	--	--	--	--	--	--

Less Total amount of commission

₹									
---	--	--	--	--	--	--	--	--	--

Less Total amount of applicable taxes

₹									
---	--	--	--	--	--	--	--	--	--

Net amount of remittance

₹									
---	--	--	--	--	--	--	--	--	--

Mode of remittance

1. By Treasury Challan No.at date
 Name of Bank Branch.....
 amount (Rupees.....)
 By GRAS Challan No. date amount
 (Rupees.....)

Verification:- I Shri/Smti....., the Authorised official of the Central Record Keeping Agency do hereby declare that the information contained herein is correct to the best of my knowledge and belief. One copy of the Treasury Challan/GRAS challan has been forwarded to the Superintendent of Stamps for favour of information and necessary action.

Date:

Name of Authorised Official

Signature of the Authorised Official
CRA

Acknowledgement

Received a copy of Treasury/GRAS Challan No. date
amount

Date:-

Name & Signature of Stamp Clerk

Form - 4
(See Rule 20 & 22)
E-COURT FEE APPLICATION FORM

CRA/ACC/ AI		CRA/ACC/ AI Id.	
-------------	--	-----------------	--

Details of Litigant

Name & Address of the Litigant	
Phone No and Email Id if any	

Court Fee Payment Details

Court Fee Amount Rs.	Type of Payment: <input type="checkbox"/> IMPS <input type="checkbox"/> NEFT <input type="checkbox"/> Cash <input type="checkbox"/> DD <input type="checkbox"/> Pay-Order <input type="checkbox"/> RTGS <input type="checkbox"/> ECS <input type="checkbox"/> Any authorised mode		
DD/Pay-order No.	Date: / /		
Bank Name			Branch Name

The Information furnished above, is true to the best of my knowledge and the CRA/ACC/AI shall not be held liable for any mistake (s) in the details furnished above

Date:

Signature of the Litigant/Authorised Person

(In case purchaser is an authorised person, the following details are required)

Name....., address.....
 contact Number

(For Office use only)

I verify that the Application Form is in order

USER

User Id	
Name and Signature	

OFFICIAL OF CRA/ACC/AI

Brief particulars of the Court Fee Certificate		
E-Court Fee Certificate received by	Name:	Signature

E-Court Fee Receipt

(To be filled in by the Client)

Name of the Litigant/ Authorised Person	
Application Date:	
Court Fee Amount Rs. (IN WORDS)	Type of Payment: <input type="checkbox"/> Cash <input type="checkbox"/> DD <input type="checkbox"/> Pay-Order <input type="checkbox"/> IMPS <input type="checkbox"/> NEFT <input type="checkbox"/> RTGS <input type="checkbox"/> ECS <input type="checkbox"/> Any other mode
DD/Pay Order No.	Date : / /
Bank Name	Branch Name
Counter Signature with Seal of the Designated Official of CRA/ACC/AI	

Note: 1) Once the E-Court Fee Certificate has been generated, payment cannot be cancelled or refunded by CRA. For cancellation and refund of E-Court Fee Certificate, the applicant has to approach the Superintendent of Stamps for refund as provided under Rule 27 & 28.

2) This Receipt may be computer generated.

Form-5
(See clause (vi) of Rule 22)
Daily account of E-Court Fee Certificate

CRA		CRA	
Date of Issue of the Certificates	MM/DD/YY		

Details of the E-Court Fee Certificates issued

E-Court Fee Certificate Number (from)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

E-Court Fee Certificate Number (to)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Total number of E-Court Fee Certificates issued

--	--	--	--

Denominations of E-Court Fee Certificates issued and number issued

₹									
---	--	--	--	--	--	--	--	--	--

Total number				
--------------	--	--	--	--

₹									
---	--	--	--	--	--	--	--	--	--

Total number				
--------------	--	--	--	--

₹									
---	--	--	--	--	--	--	--	--	--

Total number				
--------------	--	--	--	--

₹									
---	--	--	--	--	--	--	--	--	--

Total number				
--------------	--	--	--	--

Total value of E-Court Fee Certificates issued

₹									
---	--	--	--	--	--	--	--	--	--

Total number				
--------------	--	--	--	--

***Denominations may be increased to “n” if required.**

Verification: - I Shri/Smti....., the Authorised official of the Central Record Keeping Agency do hereby declare that the information contained herein has been verified against records available and is correct to the best of my knowledge and belief.

Date:

Name of Authorised Official

Signature of the Authorised Official
CRA (With seal)

For use of the Office of the Superintendent of Stamps.

Report of the Stamp Clerk:- Verified and found correct/incorrect and concerned official of CRA intimated for necessary action vide letter No.

Date:-

Name & Signature of Stamp Clerk

Form-6
(See Rule 27)

Application for Cancellation and Refund of E-Court Fee Certificate

ACC/AI		ACC/AI Id.	
Application date	/	/	

Details of the E-Court Fee Certificate presented for cancellation and Refund

E-Court Fee Certificate Number

Date of Issue of the Certificate										/		/							

Details of Litigant/Authorised Person

Name & Address of the Litigant with Phone No.	
Name & Address of the Authorised Person (if any) with Phone No.	

* In case an authorised person is presenting the refund application on behalf of the Litigant, this application must be accompanied with authorisation from the Litigant (executed on a Rs. 20 non-judicial stamp paper), duly witnessed and attested by Notary Public.

Court Fee Payment Details

E-Court Fee Certificate Purchased by		
Court Fee Amount Rs.:	E-Court Fee Certificate no.:	date:

Reason for Cancellation or Refund of E-Court Fee Certificate
--

The information stated above is true to the best of my knowledge and belief.

Date:

Signature of the Litigant/
Authorised Person of the certificate

Report of the Superintendent of Stamps

The details of the E-Court Fee Certificate have been verified from the system. The said certificate has not been disabled or locked in the data base of E-Court Fee Certificate. This certificate of verification has been endorsed on the said certificate also. Refund of the amount of Court Fee mentioned in the certificate is approved.

Sign & Seal of the Authorised Signatory.....

For use of the Office of the Superintendent of Stamps.

Report of the Stamp Clerk:

Order of the **Superintendent of Stamps** regarding refund.

Sign & Seal of the
Superintendent of Stamps

Form -7
(See Rule 20 & 22)

**E-COURT FEE APPLICATION FORM FOR AFFIXING ON DOCUMENTS OTHER THAN
ARTICLES LISTED IN SCHEDULE I&II OF THE COURT FEES ACT**

CRA/ACC/ AI		CRA/ACC/ AI Id.	
-------------	--	-----------------	--

Details of Purchaser/Authorised Person

Name & Address of the purchaser/ Authorised Person	
Phone No and Email Id if any	

Brief description of document on which E-Court Fee Certificate will be affixed.

Tender/ Document No. Date: Remarks:
--

Court Fee Payment Details

Court Fee Amount Rs.	Type of Payment:	
	<input type="checkbox"/> IMPS <input type="checkbox"/> NEFT <input type="checkbox"/> Cash <input type="checkbox"/> DD <input type="checkbox"/> Pay-Order <input type="checkbox"/> RTGS <input type="checkbox"/> ECS <input type="checkbox"/> Any authorised mode	
DD/Pay-order No.	Date: / /	
Bank Name		Branch Name

The Information furnished above, is true to the best of my knowledge and the CRA/ACC/AI shall not be held liable for any mistake (s) in the details furnished above. I also understand that there shall be no refund of the E-Court Fee under any circumstances.

Date: _____ Signature of the Purchaser/Authorised Person

(In case purchaser is an authorised person, the following details are required)

Name....., address.....
contact Number

(For Office use only)

I verify that the Application Form is in order

USER

User Id	
Name and Signature	

OFFICIAL OF CRA/ACC/AI

Brief particulars of the Court Fee Certificate	
E-Court Fee Certificate received by	Name: Signature

E-Court Fee Receipt*(To be filled in by the Client)*

Name of the Purchaser / Authorised Person	
Application Date:	
Court Fee Amount Rs. (IN WORDS)	Type of Payment: <input type="checkbox"/> Cash <input type="checkbox"/> DD <input type="checkbox"/> Pay-Order <input type="checkbox"/> IMPS <input type="checkbox"/> NEFT <input type="checkbox"/> RTGS <input type="checkbox"/> ECS <input type="checkbox"/> Any other mode
DD/Pay Order No.	Date : / /
Bank Name	Branch Name
Counter Signature with Seal of the Designated Official of CRA/ACC/AI	

Note: 1) Once the E-Court Fee Certificate has been generated, payment it cannot be cancelled or refunded.

2) This Receipt may be computer generated.



The Gazette of Meghalaya

EXTRAORDINARY

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No. 219

Shillong, Thursday, December 23, 2021

2nd Pausa, 1943 (S. E.)

PART-IIA

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

BULLETIN-PART II

The 23rd December, 2021.

No.LB.100/LA/2021/10. - It is hereby notified for general information that Shri Metbah Lyngdoh, Hon'ble Speaker, Meghalaya Legislative Assembly has recognized the merger of 12 (Twelve) Members of the Indian National Congress Legislature Party, namely, Dr. Mukul Sangma, MLA, Shri Marthon Sangma, MLA, Shri Jimmy D. Sangma, MLA, Shri Lazarus M. Sangma, MLA, Smti. Miani D. Shira, MLA, Shri H. M. Shangpliang, MLA, Shri George B. Lyngdoh, MLA, Shri Winnerson D. Sangma, MLA, Smti. Dikkanchi D. Shira, MLA, Shri Zenith M. Sangma, MLA, Shri Charles Pyngrope, MLA and Shri Shitlang Pale, MLA with the All India Trinamool Congress (AITC), as provided under paragraph 4 of the Tenth Schedule to the Constitution of India with effect from 24th November, 2021.

ANDREW SIMONS,
Commissioner & Secretary,
Meghalaya Legislative Assembly.



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PART-IIA

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

BULLETIN-PART II

The 23rd December, 2021.

No.LB.101/LA/2021/12. - Decision of Shri Metbah Lyngdoh, Hon'ble Speaker, Meghalaya Legislative Assembly on the petitions filed by Dr. M. Ampareen Lyngdoh, for disqualification under the Tenth Schedule to the Constitution of India.

ORDER

On 29th November, 2021, 10 (Ten) petitions were filed and submitted to me by Dr. M. Ampareen Lyngdoh, MLA, against Dr. Mukul Sangma, MLA, Shri Marthon Sangma, MLA, Shri Jimmy D. Sangma, MLA, Shri Lazarus M. Sangma, MLA, Smti. Miani D. Shira, MLA, Shri H. M. Shangpliang, MLA, Shri George B. Lyngdoh, MLA, Shri Winnerson D. Sangma, MLA, Smti. Dikkanchi D. Shira, MLA and Shri Zenith M. Sangma, MLA for disqualification under the Tenth Schedule to the Constitution of India. As required, under Rule 7(3)(b) of the Meghalaya Legislative Assembly (Disqualification on Ground of Defection) Rules, 1988, notices were issued from the Meghalaya Legislative Assembly Secretariat to the 10 (Ten) MLAs, namely Dr. Mukul Sangma, MLA, Shri Marthon Sangma, MLA, Shri Jimmy D. Sangma, MLA, Shri Lazarus M. Sangma, MLA, Smti. Miani D. Shira, MLA, Shri H. M. Shangpliang, MLA, Shri George B. Lyngdoh, MLA, Shri Winnerson D. Sangma, MLA, Smti. Dikkanchi D. Shira, MLA and Shri Zenith M. Sangma, MLA asking them to submit their comments on the pleadings in the petitions filed.

Again, on 10th December, 2021, 2 (Two) more petitions were filed and submitted to me personally by Dr. M. Ampareen Lyngdoh, MLA against Shri Charles Pyngrope, MLA and Shri Shitlang Pale, MLA for disqualification under the Tenth Schedule to the Constitution of India. As required, under Rule 7(3)(b) of the Meghalaya Legislative Assembly (Disqualification on Ground of Defection) Rules, 1988, notices were issued from the Meghalaya Legislative Assembly Secretariat to the 2 (Two) MLAs, namely Shri Charles Pyngrope,

MLA and Shri Shitlang Pale, MLA asking them to submit their comments on the pleadings in the petitions filed.

After examining in detail all the 12 (Twelve) petitions filed by the Petitioner Dr. M. Ampareen Lyngdoh, MLA, and the comments received from all the 12 (Twelve) Respondents, I am satisfied that the merger of the 12 (Twelve) Members of the Indian National Congress is valid as provided under paragraph 4 of the Tenth Schedule to the Constitution of India, and does not attract disqualification. I do not find any merit in the submissions made in the petitions filed by Dr. M. Ampareen Lyngdoh, MLA, and therefore, the same is hereby dismissed.

Dated Shillong,
The 23rd December, 2021.

METBAH LYNGDOH,
Speaker,
Meghalaya Legislative Assembly.

Andrew Simons,
Commissioner & Secretary,
Meghalaya Legislative Assembly.